University of London

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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

—(5.)—

COPYRIGHT (No. 2) BILL;

EDUCATION (INSPECTORS' REPORTS); POOR RELIEF;

TURNPIKE TRUSTS.

Session

4 *February* —— 29 *July* 1864.

VOL. IX.

1864.

REPORTS FROM COMMITTEES:

1864

ELEVEN VOLUMES:—CONTENTS OF THE

FIFTH VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

COPYRIGHT (No. 2) BILL:

441. REPORT from the Select Committee on the COPYRIGHT (No. 2) BILL; together with the PROCEEDINGS of the COMMITTEE, and MINUTES of EVIDENCE - - - - - - - - - p. 1

EDUCATION (INSPECTORS' REPORTS):

468. REPORT from the Select Committee appointed to inquire into the Practice of the Committee of Council on Education with respect to the REPORTS of HER MAJESTY'S INSPECTORS of SCHOOLS; together with the PROCEEDINGS of the COMMITTEE, MINUTES of EVIDENCE, and APPENDIX - - - - - - - 13

468–I. INDEX to REPORT from the Select Committee appointed to inquire into the Practice of the Committee of Council on Education 167

POOR RELIEF:

349. REPORT from the Select Committee appointed to inquire into the Administration of the RELIEF of the POOR under the Orders, Rules and Regulations issued by the Poor Law Commissioners and the Poor Law Board, pursuant to the Provisions of the Poor Law Amendment Act, and into the Operation of the Laws relating to the Relief of the Poor; with the PROCEEDINGS of the COMMITTEE, and an APPENDIX - - - - - - - - - 187

TURNPIKE TRUSTS:

383. REPORT from the Select Committee appointed to inquire into the Expediency and Practicability of abolishing TURNPIKE TRUSTS; together with the PROCEEDINGS of the COMMITTEE, MINUTES of EVIDENCE, and APPENDIX - - - - - - - 331

383–I. INDEX to REPORT from the Select Committee on TURNPIKE TRUSTS - - - - - - - - - - - 495

REPORT

FROM THE

SELECT COMMITTEE

ON THE

COPYRIGHT (No. 2) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

Ordered, by The House of Commons, *to be Printed,*
29 *June* 1864.

Veneris, 15° *die Aprilis*, 1864.

COPYRIGHT (No. 2) BILL, read 2°, and committed to a Select Committee.

Martis, 26° *die Aprilis*, 1864.

Committee nominated of—

Mr. Black.	Mr. Maguire.
Mr. Massey.	Mr. Arthur Mills.
Mr. Walpole.	Mr. Neate.
Mr. Dunlop.	Mr. Walter.
Sir William Heathcote.	Mr. Pollard-Urquhart.
Mr. Grant Duff.	Mr. Lowe.
Mr. Cave.	Mr. Whiteside.
Earl Grosvenor.	

Ordered, THAT Five be the Quorum of the Committee.

Martis, 11° *die Maii*, 1864.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Mr. Cave be discharged from further attendance on the Committee, and that Mr. Milner Gibson be added thereto.

Mercurii, 29° *die Junii*, 1864.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to the House.

REPORT - - - - - - - - - - - - - p. 3

PROCEEDINGS OF THE COMMITTEE - - - - - - - p. 4

MINUTES OF EVIDENCE - - - - - - - - - p. 7

REPORT.

THE SELECT COMMITTEE to whom the COPYRIGHT (No. 2) BILL was referred;——HAVE agreed to the following REPORT:—

THAT, considering the difficulty and complication of the inquiry involved in the Bill, your Committee are not prepared to recommend any amendment or consolidation of the Law of Copyright without information, which, at this advanced period of the Session, it is hardly practicable to acquire.

Your Committee, therefore, recommend that no further attempt be made at present towards legislation on the subject; but that the whole question be referred to a Select Committee in the ensuing Session; and they return the Bill to the House, with Amendments.

29 *June* 1864.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 28° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Lowe.	Earl Grosvenor.
Mr. Black.	Mr. Neate.
Mr. Pollard-Urquhart.	Mr. Cave.
Sir William Heathcote.	Mr. Grant Duff.
Mr. Maguire.	

Mr. BLACK was called to the Chair.

[Adjourned to Tuesday, 3 May, at Twelve o'clock.

Martis, 3° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. BLACK in the Chair.

Mr. Pollard-Urquhart.	Mr. Neate.
Sir William Heathcote.	Mr. Lowe.
Mr. Walter.	Mr. Grant Duff.

The Committee deliberated.

[Adjourned to Friday, 27 May, at Twelve o'clock.

Veneris, 27° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. BLACK in the Chair.

Mr. Walter.	Earl Grosvenor.
Mr. Grant Duff.	Mr. Lowe.
Mr. Neate.	Mr. Arthur Mills.
Mr. Whiteside.	

The Committee deliberated.

Resolved, "That the Committee will limit its investigation to the consolidation of the existing Acts"—(Mr. *Chairman.*)

Mr. *Felix J. Hamel* examined.

[The Committee adjourned.

Martis, 21° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. BLACK in the Chair.

Mr. Lowe.	Mr. Walter.
Mr. Pollard-Urquhart.	Sir W. Heathcote.

The Committee deliberated.

[Adjourned to Tuesday, 28 June, at Twelve o'clock.

Martis, 28° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. BLACK in the Chair.

Mr. Pollard-Urquhart.	Earl Grosvenor.
Mr. Neate.	Mr. Arthur Mills.
Mr. Lowe.	Mr. Massey.

Mr. *Felix John Hamel* further examined.

Room cleared.

The Committee deliberated, and proceeded to go through the Bill.

Preamble of the Bill read, and postponed.

Clause 1 read, and agreed to.
Clauses 2 and 3 read, amended, and agreed to.
Clause 4 read.

Resolved,—" That the Chairman be directed to move the House, for leave to report Observations and Minutes of Evidence "—(Mr. *Massey*).

Remaining Clauses of the Bill disagreed to.

Report,—" That, considering the difficulty and complication of the inquiry involved in the Bill, Your Committee are not prepared to recommend any amendment or consolidation of the Law of Copyright without information, which, at this advanced period of the Session, it is hardly practicable to acquire. Your Committee, therefore, recommend that no further attempt be made at present towards legislation on the subject; but that the whole question be referred to a Select Committee in the ensuing Session; and they return the Bill to the House; with Amendments,"—read, and agreed to.

Ordered to Report.

LIST OF WITNESSES.

Veneris, 27° *die Maii*, 1864.

Mr. Felix John Hamel - - - - - - - - - p. 7

Martis, 28° *die Junii*, 1864.

Mr. Felix John Hamel - - - - - - - - - p. 9

MINUTES OF EVIDENCE.

Veneris, 27° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. Black.	Mr. Lowe.
Mr. Grant Duff.	Mr. Whiteside.
Lord R. Grosvenor.	Mr. Walter.
Mr. Neale.	Mr. A. Mills.

ADAM BLACK, Esq., IN THE CHAIR.

The Committee deliberated, and, after motion made and question proposed,

The Chairman stated that the Committee intended to limit their investigation to the consolidation of the existing Acts of Parliament relating to the Law of Copyright.

Mr. FELIX JOHN HAMEL. was called in; and Examined.

Mr. *F. J. Hamel.* 27 May 1864.

1. *Chairman.*] THE Committee understand you reviewed the Bill for consolidating the Acts of Parliament referring to Copyright in 1857?—I did.

2. That was by the desire of the Government, I believe?—By the desire of the Government. I have the original consolidation here, with all the Acts.

3. Was that the only Bill they desired you to consolidate?—The only Bill referring to copyright. It was in consequence of the great inconvenience that was experienced by the Customs' officers in having to act under a variety of enactments, some of them conflicting and contradictory, some of the earlier of which had been repealed or altered. Persons who were interested in copyright frequently came down with one or other of the Acts and asked the officers to do something to protect them. The officers were bewildered, and came to me very frequently, to know what they were to do, bringing a gentleman with one or other of the Acts. I frequently had occasion to say, "You must not act under that; it is repealed by such and such an Act," and then to explain to them what they were to do. It caused great loss of time and trouble. I believe the suggestion for consolidation originated with myself, and the Government took the matter up. Mr. Wilson brought in the Bill, of which this is the draft, and he had it printed from this, without the marginal references, to ventilate the question. Shortly afterwards he received his appointment for India, where he died. The Bill therefore dropped, and though the late Sir George Cornewall Lewis took it up, he unfortunately also died without doing anything in the matter.

4. You say that a number of Acts were contradictory; when one Act said a thing ought to be done, and another said it ought not to be done, how did you manage to consolidate the two?—When I say they were contradictory, I mean this, that perhaps one Act would contain a provision under which it would not be safe for the officer to act, because it had been repealed or amended by a subsequent Act, not before him. I do not mean to say that they were contradictory in the broad acceptation of that term, but that there were amendments that varied the sense. In consolidating, I took the amended sense; of course that of the second Act in preference to the first.

5. How many Acts were there embodied in the Consolidation Bill?—Every Act which existed up to that time, 16 in number. I observe that two others have been put into the Repeal Schedule to the new Act, under the impression, no doubt, that the framer of the original Bill had accidentally omitted them (and it shows the care of the person who has revised it). They are the two Acts, 41 Geo. 3, c. 107, and the Act 7 & 8 Vict. c. 73. I left out the Act of Geo. 3, because it had expired from lapse of time. Its repeal would therefore merely be supererogatory. The 7 & 8 Vict. c. 73 was an Act for imposing Customs' duties on books, and it fell with the repeal of those duties. There is no harm in its remaining in the Repeal Schedule of the present Bill.

6. Then you have the substance of all the 16 Acts embodied in the Consolidation Bill which you drew?—They were carefully embodied in this consolidation.

7. Mr. *Whiteside.*] This is the Bill which was originally laid before the House?—This is the Bill which was originally laid before the House, and I will endeavour to explain. Of the Bill which was originally laid before the House, the Bill which has been brought forward by Mr. Black is almost a verbatim copy, with the exception of the additions made in consequence of the passing of Sir Roundell Palmer's Act, subsequent to 1857, and a few other additions which involve the necessity of some verbal alterations in the pre-existing clauses, because it embraces another class of works to be protected. This Bill, in its consolidation, contained every clause in the pre-existing Acts.

8. Which Bill?—This Bill, and consequently Mr. Black's.

9. Are you speaking of the Bill before us now?—I am speaking of both, and explaining how far they agreed.

10. You mean by "this Bill," the Bill of 1857?—Yes. That was rather in answer to the preceding

Mr. J. Hamel. 27 May 1864.

preceding question of Mr. Black, as to how I dealt with these clauses, merely to show the care with which it was done. I had all the Acts to begin with, and every section and part of a section which is embodied or consolidated in any section of this Bill is referred to in the margin of the other. They were carefully collected, and wherever the same thing was said twice over in two different Acts of Parliament I referred to both, and only repeated the substance of it once, so that it is an epitome of the existing law consolidated into a single Act. Then the Act of Mr. Black is a copy of that, with the exception of the addition of Sir Roundell Palmer's Act, and some verbal alterations in some other sections, and a few things quite new.

11. Mr. *Mills.*] The matter printed in italics is new?—Yes.

12. Mr. *Lowe.*] What are you speaking of?—Mr. Black's Bill, No. 2.

13. And when and where was it printed; is it the one printed 6th April?—I think the one printed on the 6th April.

14. Mr. *Whiteside.*] We want the Bill to which you are now referring, and if it was printed in the House we should like to have a copy?—That was not printed for circulation, but I shall be happy to place a copy in the hands of the Committee.

15. Mr. *Whiteside.*] You are speaking of a Bill brought in by Mr. Black on the present occasion; the Bill is before us?—That is the Bill before you (*referring to printed Bill which Mr Hamel had handed to the Chairman*).

16. Mr. *Lowe.*] Have you got it before you?—The Bill now before the House, with the italics.

17. Mr. *Whiteside.*] We wish to have the Bill brought in by Mr. Black in the first instance, and which contained the work described by you?—Yes. It was the first Bill brought in by Mr. Black, which contained the work prepared by me.

18. Did you search the Irish Statute-book (this being a general law), and take care that the Acts in that country were repealed, so that there might be one general law for the two countries, which would be exceedingly useful?—I do not remember at this moment whether we extended this to Ireland, but I think so; and I believe all the statutes which were in existence extending to England and Ireland were repealed.

19. *Chairman.*] The Bill of 1857 is exactly a consolidation of the Acts (*handing print of the Bill to the Witness*)?—It is.

20. And, therefore, if we pass a Consolidation Act it will be necessary to go further than repealing your Bill of 1857?—Yes; the Bill of 1857 was only a Bill, and never passed into a law. The 16 Acts were consolidated into one Bill, but it never became law, in consequence of the death of Mr. Wilson.

21-3. Mr. *Lowe.*] Is the Act of 1862 consolidated in Mr. Black's Bill?—Yes.

24. Was it done by you?—No.

25. Are you able to answer for the correctness of the work?—Yes, with the exception of the additions. Every Bill of every description that passes through either House of Parliament is sent to me, and I generally look to see if there is anything affecting the interests of the Crown in my department, and, seeing the Copyright Bill, I said, "This is my Bill"; I recognised as mine the greater part of the language of every clause, with the exception of some clauses from Sir Roundell Palmer's Bill and one or two additions.

26. The Committee wish to consolidate the existing law of copyright, that is, to consolidate your Bill, which consolidates the 16 Acts with Sir Roundell Palmer's Act of 1862?—Yes.

27. We do not intend to alter the law. Can you point out to us any Bill which you can assure us does contain a consolidation without an alteration of the law, or can you undertake to produce such a Bill in any reasonable time?—I think I may say that the first Bill of Mr. Black is such a Bill.

28. Are you sufficiently acquainted with it to give us a notion whether we should be justified in acting on it as your deliberate opinion?—Certainly; I wish to be understood as to my statement with reference to this Bill containing a consolidation of all the Acts which were under my notice to 1857, and of Sir Roundell Palmer's Act, that there is other matter in this Bill beyond and above that, which the Committee have to deal with separately. There is more in the Bill, and some very essential clauses too of immense importance with reference to registration, without which all protection is a farce. It is the most important feature in the Bill as regards the working of the Act.

29. Mr. *Mills.*] You are aware the Committee have limited themselves to the work of consolidation?—So I have understood. I only wanted to guard myself against being understood that the Bill contains the Acts and nothing more. It contains the Acts and something more.

30. Mr. *Whiteside.*] We wish to have before us the law consolidated up to the present day in the manner in which you have described yourself as having consolidated the former statutes, and then whether we introduce any amendments or novelties will be matter for consideration.

31. Mr. *Mills.*] You will carry on the work you did to 1857 to the present hour?—Then I should like to have it perfectly understood with reference to that, whether this is to be taken up as a Government question. I merely appear as a witness. It is an accidental circumstance that I happen to be the solicitor for Her Majesty's Customs; but if I am to take this up, I can only do so on behalf of the Government; I can only act officially in consolidating the Bill, and if it becomes part of my duty, as solicitor to the Customs, I shall be happy to do so; but I do not think, as a private individual, I can undertake to consolidate the law for a private Bill.

32. *Chairman.*] It is not a private Bill, but a public Bill?—Yes; but it is not an official Bill.

33. Mr. *Whiteside.*] Mr. Hamel, you will manage that?—I shall be happy, if the Treasury give me instructions.

34. *Chairman.*] If you have directions, you will be prepared to consolidate the Acts?—I shall be happy to obey any directions I receive from the Treasury.

Martis, 28° die Junii, 1864.

MEMBERS PRESENT:

Mr. Black.	Mr. Neate.
Earl Grosvenor.	Mr. Pollard-Urquhart.
Mr. Lowe.	

ADAM BLACK, Esq., IN THE CHAIR.

Mr. FELIX JOHN HAMEL, re-called; and further Examined.

Mr. *F. J. Hamel.*

28 June 1864.

35. *Chairman.*] UPON what principle did you proceed in drawing up this Consolidation Bill?—I selected all the sections that were unrepealed, arranged them in their proper order, and framed the Bill in the form in which you see it, embracing everything that is existing law, and leaving out everything that is not.

36. How did you manage when you found different arrangements or provisions in different Acts?—I uniformly took the latest amendments, and where there was anything of the same kind in the preceding Acts of Parliament, I assimilated the two as nearly as possible.

37. You made the 5 & 6 of Victoria the foundation of all the literary divisions?—Yes.

38. And where it differed from the previous Acts, you adhered to the provisions of the 5 & 6 Victoria?—I adhered to the latest Act upon the same point in every case.

39. Clause 24 of the Consolidated Bill is as to the deposit of books at the British Museum and other libraries?—Yes.

40. It is stated there that the publishers are to deliver copies, whether bound, sewed, or stitched together, upon the best paper on which the same shall be printed, to the British Museum, and the several places mentioned; and then it states that they shall be sent to the different libraries there; do you understand from that, that they are all to be sent on the best paper?—Yes, I take it so.

41. Mr. *Neate.*] It is clearly the meaning of the Act that they are to be sent on the best paper, is it not?—Yes.

42. *Chairman.*] But that is not according to the provisions of the Act of the 5 & 6 Victoria. If you look at the 8th clause of the 5 & 6 Victoria, you will find that those copies that are to be delivered to the libraries are to "be delivered upon the paper of which the largest number of copies of such book or edition shall be printed for sale"?—Yes; that is the case.

43. And that has been the practice, has it not?—Yes.

44. And in some of the other previous Acts the same provision is made?—It is; and that, generally speaking, is the best paper. There are no doubt several minor points of that description upon which the Treasury were consulted when that consolidation took place; they adopted the interpretation which is given here, and I have not departed from it.

45. I see in the various Acts great variation, both with regard to the expense and the mode of registering; there is a great variety of modes of registering?—Yes, there is.

46. Mr. *Neate.*] In Clause 25 you will find these words, "If any publisher shall be desirous"; where do you get the word "desirous" from?—From section 9 of the 5 & 6 Victoria, cap. 45: "Provided also, and be it enacted, that if any publisher shall be desirous." I would beg leave to observe, that the Bill was asked for in a great hurry. When I received instructions from the Treasury, I took the Consolidation Bill that was so carefully made in 1857, and in delivering them this copy, I only introduced into it the new matters arising upon the Act of Sir Roundell Palmer. In sending that to the Treasury I carefully guarded myself by saying, that, in consolidating the Copyright Acts, I had adhered as closely as possible to the Bill of 1857, as approved, settled, printed, and laid upon the Table of the House of Commons, by and on behalf of the Government of that day, which Bill embraced every Act in force at that time; and, as those points in the different provisions had been very carefully considered, and the Government of the day, in connection with practical officers, having adopted that interpretation which they considered to be the best and most in accordance with the general scope and intention of the Act, I thought it better not to get into a sea of trouble by disturbing that which they had so settled.

47. *Chairman.*] But, if it was contrary both to the last Act and to the present practice, the Treasury had no right to alter it?—No; I do not say they had. Parliament alone can alter it, unquestionably. But, as the Bill had been carried forward by the Treasury at that time, they would have explained anything upon which they had put their own interpretation. As I told the Treasury the other day, I believe that this is a Bill which they, or some Member of the Government, ought to bring forward. It interferes with a great number of matters connected with the prerogative of the Crown and the Executive Department of the Customs, and so on; and I think that matters of that kind, interfering with their rights and interests, should alone be dealt with by the Government.

48. Mr. *Lowe.*] In what way does it interfere?—I believe that, in many instances, it puts in force the services of the officers of Customs for different purposes.

49. It only consolidates the law; it does not interfere

Mr. *F. J. Hamel.*

28 June 1864.

interfere unless it introduces new law?—Perhaps not; but still it is not customary for the Crown to allow measures which have reference to the Executive Department to be dealt with without their consent.

50. *Chairman.*] In consolidating the various Acts, do you consider that there are a good many amendments required, or are there any required?—I do not think there are very many amendments required; there might be some made with advantage. I would make a few suggestions on that subject. I have kept in view the suggestions that you made in the other Bill; and, in consolidating this, I so framed it that if it were necessary in any stage of this Bill to introduce your own amendments, some of which are very good, they would be consistent with the Bill, and I suggest the places in which they could be introduced. I have also suggested amendments myself, and have sent them in, in separate batches, to be inserted in the Act or not as Parliament may see fit.

51. Mr. *Lowe.*] How came the alteration as to the paper; was it overlooked?—No, it was not overlooked; the question was considered at the time by some practical men, and the matter was discussed, and we went through it carefully with Mr. Wilson, and he said we might have it for the sake of uniformity.

52. We are on the practical question of whether this is a consolidation or amendment of the law?—There is an alteration there, unquestionably.

53. Is there any other alteration that you know of?—I am not aware of any other alteration.

54. Mr. *Neate.*] You say that you have not in every case adopted the precise language of the previous Acts?—No, it is impossible to do so.

55. But you have stated what you considered to be the result of the two Acts put together?—This particular section which you speak of, section 24, consolidates several sections from the 15 Geo. 3; the 7 Victoria; the 5 & 6 Victoria; and another of the 5 & 6 Victoria, and some others. I should say there are half-a-dozen different sections condensed into one, but taking in the broad sense of the whole. That must be the case in consolidation, unless you go to a tremendous length, and repeat the same language with slight variations throughout the whole Bill.

56. Mr. *Pollard-Urquhart.*] Was this slight alteration recommended to you by any good authority?—I cannot undertake to answer that question at this period of time. It was in 1857 when this consolidation was made, and then we gave a very great deal of attention to it. We had several members of the trade to confer with on the subject, and we had also a practical man from the Customs, Mr. Ogilvie, who sat with me during the whole drafting of this Bill. We watched the sections carefully; and then we went down to the Treasury, and had a morning or two upon all the doubtful points with Mr. James Wilson, who has since gone to India. He brought the Bill in, in fact; but he went away to India without finishing it. He was *au fait* in all these matters; and I remember that he observed there would be some minor points of this description upon which we should have some argument, but that they would be easily arranged in Committee.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

COPYRIGHT (No. 2) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

Ordered, by The House of Commons, *to be Printed,*
29 *June* 1864.

441.

Under 2 *oz.*

REPORT

FROM THE

SELECT COMMITTEE

ON

EDUCATION (INSPECTORS' REPORTS);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1864.

Jovis, 12° *die Maii*, 1864.

Ordered, THAT a Select Committee be appointed to inquire into the Practice of the Committee of Council on Education with respect to the Reports of Her Majesty's Inspectors of Schools.

Jovis, 2° *die Junii*, 1864.

Ordered, THAT the Select Committee do consist of Five Members, to be nominated by the General Committee of Elections, and that two other Members, to be named by the General Committee of Elections, be appointed to serve on the Select Committee to examine Witnesses, but without the power of voting.

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Martis, 7° *die Junii*, 1864.

Sir William Miles reported from the General Committee of Elections, That, in pursuance of the Instruction of the House, they had nominated the following Five Members to constitute the Committee on Education (Inspectors' Reports):—

John George Dodson, Esq.	Lord Hotham.
Sir Philip de Malpas Grey Egerton, Bart.	The Honourable Charles Howard.
	Edward Howes, Esq.

And that they had also named

The Lord Advocate and Lord Robert Cecil

to serve on the Committee to examine Witnesses, but without the power of voting.

Lunæ, 11° *die Julii*, 1864.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

REPORT - - - - - - - - - - - - - p. iii
PROCEEDINGS OF THE COMMITTEE - - - - - p. vii
MINUTES OF EVIDENCE - - - - - - - - - p. 1
APPENDIX - - - - - - - - - *following the Evidence.*

REPORT.

THE SELECT COMMITTEE appointed to inquire into the Practice of the COMMITTEE of COUNCIL on EDUCATION with respect to the REPORTS of HER MAJESTY'S INSPECTORS of SCHOOLS;——HAVE considered the matters to them referred, and have agreed to the following REPORT:—

THE original instructions which the Committee of Council issued to the Inspectors in August 1840, so far as regards the reports, were in the following terms: Appendix, p 37, No. 3.

"The reports of the Inspectors are intended to convey such further information respecting the state of elementary education in Great Britain as to enable "Parliament to determine in what mode the sum voted for the education of the "poorer classes can be most usefully applied.

"With this view reports on the state of particular districts may be required "to ascertain the state of education in such districts, and how far the interference of Government or of Parliament can be beneficially exerted by providing "additional means of education. Your reports will be made to the Committee, "but it is intended that they shall be laid before both Houses of Parliament." App. p. 48–53. 58–59.

Various additions to the above instructions have been issued from time to time, which appear in the Appendix.

The reports are of two kinds, annual or general reports and separate reports on the schools inspected. Both these kinds of reports were at first printed, and laid before Parliament at full length. But as the number of inspected schools increased, and the system of annual grants was developed, the latter kind of reports, commonly called tabulated reports, became so bulky, that on the ground of expense, and their limited use, the Treasury objected to their being printed; the printing was discontinued in 1858, resumed in 1859 for sale only; and finally stopped in 1861. In 1858 the practice was introduced of sending to the managers of each school a manuscript copy of the report relating to the school at full length, with such observations as the Department thought right to add. This practice with reference to the tabulated reports, was afterwards altered; the Inspectors were required to make a summary of their reports, and the summary only was sent to the managers. It occasionally happened that the summary did not in the judgment of the Department, accord with the report itself, considered with reference to the regulations under which the grants of money were made. In these cases, the summary was either altered by the Inspector at the suggestion of the Department, or the requisite alteration was submitted to the Inspector, and on his assent substituted for the original. These alterations appear to have been generally accepted by the Inspectors; but in the case of Mr. J. R. Morell, who objected to the proposed alteration, one report was ultimately sent to the managers as originally prepared by the Inspector, and another was altogether suppressed. The practice, however, does not seem to have been perfectly uniform. In matters supposed to be unimportant or perfectly clear from doubt, alterations have been made in the summary without consulting the Inspectors (*see* Mr. Lingen's Evidence).

Evid. 7.

Evid. 8.

App. p. 30. 43. 46. 59–62.

Evid. 133.

App. p. 43–44.

Evid. 188.

Evid. 133 *et seq.*

154.

532–599.

213–216.

624–635.

Your Committee mention here a case which occurred in 1863, of a report made under sect. 19 of the Act 24 & 25 Vict. c. 107, commonly called the "Scotch Schoolmasters' Act." In this special case, the report appears to have been abridged by a mistake of the officer before whom the case came in the

620 *et seq.*

usual course, which mistake was afterwards corrected by the secretary, who ordered the report to be sent to the heritors in its original shape.

App. p. 43 *et seq.* Your Committee pass from the tabulated reports to the more important subject of the Annual Reports.

Evid. 10. The length of these reports also was a frequent subject of complaint; and instructions for the purpose of keeping them within due limits, were issued from time to time by the Committee of Council. These instructions were discussed in Parliament in 1858.

Evid. 16. 700. In 1860, in consequence of a report having been printed, containing remarks on the comparative morality of Roman Catholic and Protestant countries, the attention of Mr. Lowe, who had been appointed Vice-President in the previous year, was called to the subject. The instructions by which the Inspectors' reports were regulated were then thoroughly reviewed. The result was the following Minute of the Committee of Council, dated the 31st of January 1861 :—

Evid. 15. "Their Lordships having considered the instructions issued from time to "time to Her Majesty's Inspectors of Schools, for the preparation of their "annual reports, find the sum of those instructions to be, that the Inspectors "must confine themselves to the state of the schools under their inspection, "and to practical suggestions for their improvement; if any report, in the "judgment of their Lordships, does not conform to this standard, it is to be "returned to the Inspector for revision; and if on its being again received "from him it appears to be open to the same objection, it is to be put aside "as a document not proper to be printed at the public expense."

182. 449. This Minute was never formally laid before Parliament, being considered to be only explanatory of the purport of the instructions previously issued.

450–452. 461. 465. It was, however, incidentally mentioned and discussed in the House on more than one occasion.

17. The revision, which before 1858 was principally for the purpose of condensation, was from that time carried into effect in the following manner:—The secretary, considering that the Committee of Council were responsible for the exclusion of irrelevant and objectionable matter from the reports, directed the officer whose duty it was to read for the press, to examine the reports with increased care.

19. 483–506. 38. 59. 76. This officer used to call the secretary's attention to passages which he considered objectionable, either by marking them or mentioning them orally. If the secretary thought the objection invalid or unimportant, he overruled it, but if he thought it important he sent the report to the Vice-President, with the reader's marks, and with observations of his own if he thought any necessary.

17. 233. App. p. 53, No. 9. 470–471. Mr. Adderley, while he was Vice-President, used to read the manuscript reports himself, and to strike out with his own hand those passages which he thought inadmissible. The Inspectors, on receiving back their manuscripts with the proof, had an opportunity of seeing what had been objected to and of correcting the proof accordingly.

699 *et seq.* Mr. Lowe, on his appointment in 1859, discontinued the practice of striking out passages, and afterwards, under the Minute of 1861, ordered the reports containing objectionable matter to be sent back to the Inspectors, that the Inspectors might themselves revise their own reports, and make them conformable to the instructions.

713. 765–770. 21. 22. 204, 205. 713. 55. 23, 24. 714. But the practice of marking the passages continued without Mr. Lowe's knowledge, whose constant habit was to have the reports read to him by his private secretary, and not to see them himself In 1862, however, Mr. Lowe accidentally became aware of the continuance of that practice, and immediately, by a note of his private secretary, dated 14 February 1862, ordered that the reports should be no longer marked.

25. 27. 715. 716. App. p. 53, No. 13. 317. App. p. 53, No. 12. Since that time the practice of marking passages has been discontinued; and the manuscript reports objected to have been sent to the Inspectors, with a letter calling the writer's attention to the Minute of 1861, but without specifying any passage or matter to which objection was taken. In August 1863, the usual circular letter of instruction to the Inspectors to make their annual reports contained an additional paragraph, in the following words: "by the term "state of schools under your inspection," you will understand facts observed within the circle of your official experience; and by the term "practical suggestions

suggestions for their improvement," you will understand "suggestions consistent with the principles of Minutes sanctioned by Parliament:"—This explanation of the Minute of 1861 has not been laid before Parliament. 468. 473.

Your Committee believe that no instance of marking the reports has occurred since the 14th of February 1862, except that of Mr. Longueville Jones's Report for the year 1862-3. That report was brought specially under the notice of the Lord President, on account of its infringing the Minute of 1861 in a peculiar manner. The secretary seems to have marked certain passages in pencil, for the Lord President's attention; and the report thus marked, with remarks endorsed upon it by Lord Granville himself, was sent back to Mr. L. Jones. 57 *et seq.* 302-5. 163 *et seq.* 278. 298-299. 348-9. 609. 683-5.

The evidence laid before your Committee is to the effect, that the Committee of Council considered Mr. Jones's report to have been written with a feeling of hostility to the department under which he served, and that in consequence it was dealt with, not in accordance with the ordinary practice of the office, but as an exceptional case. Mr. Jones was partially examined, but before his examination could be resumed, he was attacked by so serious an illness that it was impossible for him to appear again to make any reply to the evidence adduced against him. Your Committee were thus precluded from proceeding with the investigation of this case. 169 348 *et seq.*

Your Committee must now advert to the Resolution passed by your Honourable House on the 12th of April last, affirming that, "In the opinion of this "House the mutilation of the reports of Her Majesty's Inspectors of Schools, "and the exclusion from them of statements and opinions adverse to the "educational views entertained by the Committee of Council, while matter "favourable to them is admitted, are violations of the understanding under "which the appointment of the Inspectors was originally sanctioned by Parliament, and tend entirely to destroy the value of their reports."

By whatever term any alteration of the reports is described, it is clear that the alterations when made, since January 1861, were made by the Inspectors themselves on receiving back their reports, with the intimation that they were not in conformity with the Minute of that date; if any Inspector declined to make his report conformable to the Minute, the report was not printed. It is also clear that passages considered to be objectionable were through inadvertence or mistake marked in some reports after the date of the Minute of 1861, and contrary to its intention, until the practice of marking passages was finally stopped by the Vice President's order of the 14th February 1862.

During the debate on the motion proposing the above resolution, the House was not informed of the fact that some passages had been marked between January 1861 and February 1862, and that all marking was stopped from the latter date; this want of information was the cause of a double misunderstanding, under which, on the one side, the motion was pressed by its supporters upon the House, and was carried, notwithstanding the statement then made by the Vice President; while, on the other side, the resolution so passed was considered by the Vice President to be a reflection on his personal honour. 706-7.

The principle involved in the subject of this inquiry and in the Resolution is important. Your Committee have carefully considered the action of the Department, and have come to the conclusion that the supervision exercised in objecting to the insertion of irrelevant matter, of mere dissertation, and of controversial argument, is consistent with the powers of the Committee of Council, and has, on the whole, been exercised fairly, and without excessive strictness. If passages occur in the reports, as printed, consisting of inference or arguments which may tend to support the educational views of the Department, other passages may be found which have a contrary tendency. No objection is made to statements of facts observed by the Inspectors within the circle of their official experience, whatever may be their bearing on the policy of the Committee of Council. *Vide* Note, p. vi.

The knowledge, or even a reasonable suspicion, that the Inspectors' reports are subject to alteration, either directly or indirectly, at the instance of the Department, has, without doubt, a tendency to lower their value, if they are to be regarded as independent sources of testimony in matters of opinion or controversy touching the educational views or policy of the Committee of Council.

It appears, however, to your Committee, that, whatever may have been the understanding under which the appointment of Inspectors was originally sanctioned, Parliament cannot be presumed to be ignorant (since the year 1858 at latest), that the heads of the office have exercised a censorship over the Inspectors' reports as to the insertion of argumentative or irrelevant matter; and your Committee are of opinion that some such power is essential to the effectual working of the Department so long as it retains its present constitution and functions.

It has occurred to your Committee, that it might be possible to obtain all the information which the Inspectors can be desired to give to the Department or to Parliament, by requiring them to furnish answers to specific questions, instead of making general reports; and thus to avoid risk of misunderstanding, either between the Department and the Inspectors, or between the Department and Parliament as to the kind of information which the Inspectors are required to give. It appears, however, that none of the reports for the last year have been objected to on the ground of non-conformity with the Minute of 1861, as explained by the paragraph of August 1863. For the information of Parliament your Committee recommend, that all instructions which may hereafter from time to time be issued to the Inspectors, either as to their general or tabulated reports, should be laid before Parliament with the annual Report of the Committee of Council.

App. (A). App. (C.) (D.) App. (B.) Evid. 190. 240–260.

Note.—The reports withheld, under the Minute of 1861, are seven in number. Ten reports in all have been sent back to the Inspectors under the Minute, and have been returned to the office, with alterations, and so printed. Such of the withheld and altered reports as could be obtained in their original shape, are printed in the Appendices; the others have been destroyed; some passages which have been objected to as adverse to the policy of the Department are given in the evidence; references are given in the Appendix (K.) to other passages which may be considered adverse to the policy of the Department, and have not been objected to.

PROCEEDINGS OF THE COMMITTEE.

Martis, 14° *die Junii*, 1864.

MEMBERS PRESENT:

Lord Hotham.	
Sir Philip Egerton.	
Mr. Howes.	The Lord Advocate.
Mr. Dodson.	Lord Robert Cecil.
Mr. Howard.	

Mr. *Howes* was called to the Chair.

The Committee deliberated.

[Adjourned to Monday, at One o'clock.

Jovis, 16° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. HOWES, in the Chair

Lord Hotham.	
Sir Philip Egerton.	The Lord Advocate.
Mr. Dodson.	Lord Robert Cecil.
Mr. Howard.	

The Committee examined Mr. *Lingen.*

[Adjourned to Thursday next, at Twelve o'clock.

Lunæ, 27° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. HOWES, in the Chair.

Lord Hotham.	
Sir Philip Egerton.	The Lord Advocate.
Mr. Dodson.	Lord Robert Cecil.
Mr. Howard.	

Mr. *R. R. W. Lingen* again examined; Rev. *F. Watkins* and Rev. *H. Longueville Jones*, examined.

The Committee deliberated.

[Adjourned to To-morrow, at Twelve o'clock.

Martis, 28° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Howes, in the Chair.

Lord Hotham	The Lord Advocate.
Sir Philip Egerton.	Lord Robert Cecil.
Mr. Dodson.	
Mr. Howard.	

Mr. *R. R. W. Lingen* again examined.

Mr. *James Tilleard*, Mr. *John R. Morell*, and Mr. *Matthew Arnold*, were severally examined.

[Adjourned to Monday, at Half-past Eleven o'clock.

Lunæ, 4° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. Howes, in the Chair.

Lord Hotham.	The Lord Advocate.
Sir Philip Egerton.	Lord Robert Cecil.
Mr. Dodson.	
Mr. Howard.	

Mr. *R. R. W. Lingen* again examined.

Mr. *Arnold*, Mr. *Tinling*, the Earl *Granville* (attending by permission of the House of Lords), and Mr. *Lowe* (a Member of the House), were severally examined.

Mr. Morell's evidence of the 2d June read.

Resolved, "That Questions 560 to 566, inclusive, be struck out."

[Adjourned to To-morrow, at Half-past Eleven o'clock.

Martis, 5° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. Howes, in the Chair.

Lord Hotham.	The Lord Advocate.
Sir Philip Egerton.	Lord Robert Cecil.
Mr. Dodson.	
Mr. Howard.	

Mr. *R. R. W. Lingen* again examined.

The Committee deliberated.

The *Lord Advocate* was heard upon the Evidence.

Lord *Robert Cecil* was heard upon the Evidence.

The *Lord Advocate* was heard in reply.

The Committee deliberated.

[Adjourned to Friday, at One o'clock, to consider Report.

Veneris, 8° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. Howes, in the Chair.

Lord Hotham.	Mr. Dodson.
Mr. Howard.	Sir Philip Egerton.

The Committee deliberated.

Proposed Draft Report, proposed by the Chairman, read 1° as follows:

"1. The original instructions which the Committee of Council issued to the Inspectors in August 1840, so far as regards the reports, were in the following terms:

"'The reports of the Inspectors are intended to convey such further information 'respecting the state of elementary education in Great Britain as to enable Parliament 'to determine in what mode the sum voted for the education of the poorer classes can be 'most usefully applied.

"'With this view reports on the state of particular districts may be required to ascertain 'the state of education in such districts, and how far the interference of Government or of 'Parliament can be beneficially exerted by providing additional means of education. 'Your reports will be made to the Committee, but it is intended that they shall be laid 'before both Houses of Parliament.' *See* Minutes of Committee of Council, 1844, page 9.

"2. Various additions to the above instructions have been issued from time to time, which appear in the Appendix.

"3. Under those instructions the Inspectors wrote annual reports, and also separate reports on the schools which they inspected. Both these kinds of reports were at first printed, and laid before Parliament at full length. But as the number of inspected schools increased, and the system of annual grants was developed, the latter kind of reports, commonly called tabulated reports, became so bulky that, on the grounds of expense and their limited use, they were no longer printed; and the practice was then introduced of sending to the managers of each school a manuscript copy of the report relating to the school at full length, with such observations as the Department thought right to add.

"4. This practice was afterwards altered; the Inspector was required to make a summary of his report, and the summary only was sent to the managers. It occasionally happened that the summary did not, in the judgment of the Department, accord with the report itself, considered with reference to the regulations under which the grants of money were made. In these cases the summary was either altered by the Inspector at the request of the Department, or the requisite alteration was submitted to the Inspector, and on his assent substituted for the original. These alterations appear to have been generally accepted by the Inspectors; but in the case of Mr. J. R. Morell, who objected to the proposed alteration, one report was ultimately sent to the managers as originally prepared by the Inspector, and another was altogether suppressed. (Evidence, No. 532 *et seq.*) The practice, however, does not seem to have been perfectly uniform; it is given at length in Mr. Lingen's evidence, Nos. 624-644.

"5. Your Committee mention here a case, which occurred in 1863, of a report made under Sect. 19 of the Act 24 & 25 Vict. c. 107, commonly called the 'Scotch Schoolmasters' Act.' (Evidence, No. 263). In this special case the report appears to have been abridged by a mistake of the officer before whom the case came in the usual course, which mistake was afterwards corrected by the Secretary, who ordered the report to be sent to the heritors in its original shape.

"6. Your Committee pass from the tabulated reports to the more important subject of the annual reports.

"7. The length of these reports was also a frequent subject of complaint, and instructions for the purpose of keeping them within due limits were issued from time to time; and especially in 1858, when Mr. Adderley was Vice-President of the Committee of Council, and when the habit of abridging the reports was discussed in Parliament.—*Hansard*, vol. 151, p. 2278.

"8. But in 1860, in consequence of a report having been printed containing remarks on the comparative morality of Roman Catholic and Protestant countries, the attention of Mr. Lowe, who had been appointed Vice-President in the previous year, was called to the subject. The instructions by which the Inspectors' Reports were regulated were then thoroughly reviewed. The result was the following Minute of the Committee of Council, dated the 31st January 1861:—

"'Their Lordships having considered the instructions issued from time to time to Her 'Majesty's Inspectors of Schools, for the preparation of their annual reports, find the sum 'of those instructions to be, that the inspectors must confine themselves to the state of the

'schools under their inspection, and to practical suggestions for their improvement: if any 'report, in the judgment of their Lordships, does not conform to this standard, it is to be 'returned to the inspector for revision; and if on its being again received from him it 'appears to be open to the same objection, it is to be put aside as a document not proper 'to be printed at the public expense.'

"9. This Minute was never formally laid before Parliament, being considered to be only explanatory of the purport of the instructions previously issued. It was, however, incidentally mentioned and discussed in the House of Commons on more than one occasion.—*Hansard*, vol. .

"10. The mode of carrying out the system of revision, which in effect commenced in 1858, was this:—The Secretary, considering that the Committee of Council were responsible for the exclusion of irrelevant and objectionable matter from the reports, directed the officer who read for the press to examine the reports with increased care.

"11. This officer used to call the Secretary's attention to the passages which he considered objectionable, either by marking them or mentioning them orally. If the Secretary thought the objection invalid or unimportant, he at once directed the matter to be printed; if he thought it important he sent the reports to the Vice-President, with the reader's marks, and with observations of his own, if he thought any necessary.

"12. Mr. Adderley, while he was Vice-President, used to read the manuscript reports himself, and struck out with his own hand those passages which he thought inadmissible. The Inspector, on receiving back his manuscript with the proof, had an opportunity of seeing what had been struck out.

"13. Mr. Lowe, on his appointment in 1859, discontinued the practice of striking out passages, and ordered the report containing objectionable matter to be sent back to the Inpector, that the Inspector might himself revise his own report and make it conformable to the instructions.

"14. But the practice of marking the passages continued without Mr. Lowe's knowledge, whose constant habit was to have the reports read to him by his private secretary, and not to see them himself. In 1862, however, Mr. Lowe accidentally became aware of the continuance of that practice, and immediately, by a note of his private secretary, dated 14th February 1862, ordered that the reports should be no longer marked.

"15. Since that time the practice of marking passages has been discontinued; and the manuscript report objected to has been sent to the Inspector, with a letter calling the writer's attention to the Minute of 1861, but without specifying any passage or matter to which objection was taken. In August 1863, with the usual instruction to the Inspectors to make their annual reports, the circular letter marked in the Appendix was sent, containing an explanation of certain parts of the Minute of 1861, and stating that by the term 'practical suggestions' were to be understood suggestions consistent with the principles of Minutes sanctioned by Parliament.—This circular has never been laid before Parliament.

"16. Your Committee believe that no instance of marking the reports has occurred since the 14th of February 1862, except that of Mr. Longueville Jones' Report for the year 1862–3. (Evidence, 168 *et seq.*) That report was brought specially under the notice of the Lord President, on account of its infringing the Minute of 1861 in a peculiar manner. The Secretary seems to have marked certain passages in pencil, for the Lord President's attention; and the report thus marked, with remarks endorsed upon it by Lord Granville himself, was sent back to Mr. L. Jones.

"17. The evidence laid before Your Committee impeached the good faith of Mr. Jones, as having written the report with a feeling of hostility against the Department under which he served. Mr. Jones was partially examined, but before his examination could be resumed, he was attacked by so serious an illness that it was impossible for him to appear again to make any reply to the evidence adduced against him. Your Committee avoid all expression of opinion upon the charge made against him, but consider that the case was entirely exceptional, and not an instance of the ordinary practice of the office.

"18. Your Committee must now advert to the Resolution passed by your Honourable House on the 12th of April last, affirming that, 'In the opinion of this House, the muti-'lation of the reports of Her Majesty's Inspectors of Schools, and the exclusion from 'them of statements and opinions adverse to the educational views entertained by the 'Committee of Council, while matter favourable to them is admitted, are violations of the 'understanding under which the appointment of the Inspectors was originally sanctioned 'by Parliament, and tend entirely to destroy the value of their reports.'

"19. By whatever term any alteration of the reports is described, it is clear that the alteration when made, since January 1861, was made by the Inspector himself on receiving back his report, with the intimation that it was not in conformity with the Minute of that date; if the Inspector declined to make any alteration, the consequence was that the report was not printed. Your Committee have thought it right to lay before Your Honourable House, in detail, the mode in which that Minute is carried out. They are not prepared, and do not consider it within their province, to suggest any change in that mode. It has occurred to them that it might be possible to obtain the necessary information by requiring the Inspectors to give answers to specific questions instead of writing annual reports; but a plan of somewhat similar character was submitted to Your Honourable House by Mr. Adderley in 1858, which did not meet with such support as would justify Your Committee in formally recommending their own suggestion. Your Committee are bound

bound to add, that the evidence laid before them completely exonerates Mr. Lowe from all possible charge of inaccuracy in the statement made by him respecting the practice of the Department during the debate on the above Resolution.

"20. But the principle involved in the subject of this inquiry and in the Resolution of the 12th April is important.

"21. Your Committee, believing that some supervision of the Inspectors' Reports is necessary, have carefully considered the action of the Department in this respect; and have come to the conclusion that the supervision exercised in objecting to the insertion of irrelevant matter, of mere dissertation, and of controversial argument inconsistent with the principles or rules of the Department, which have been sanctioned by Parliament, has been fairly exercised. The supervision, moreover, has not been too strict. If passages can be pointed out in the reports consisting not of statement of mere facts within the observation of the Inspector, but of inference or arguments which may tend to support the principles and views of the Department, other passages of a similar kind may be found which have a contrary tendency. The number of cases in which the reports have been suppressed does not exceed . All the suppressed reports, and some instances of passages objected to, with references to other passages which have been printed, although supposed to be adverse to the policy of the Department, are given in the Appendix.

"22. At the same time it cannot be denied that the knowledge, or even a reasonable suspicion, that the Inspectors' Reports are subject to alteration, either directly or indirectly, at the instance of the Department, necessarily lowers their value, if they are to be regarded as independent sources of testimony in matters of opinion or controversy touching the educational views or policy of the Committee of Council. It appears, however, to Your Committee, in the first place, that Parliament cannot be supposed not to be aware, since the year 1858 at latest, that the heads of the office have exercised a censorship over the Inspectors' Reports as to the insertion of argumentative matter; and, in the second place, that such a power is essential to the effectual working of the Department so long as it retains its present constitution and functions."

Proposed Draft Report, read 2° paragraph by paragraph; several amendments made.

Adjourned to Monday, at Twelve o'clock.

Lunæ, 11° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. Howes, in the Chair.

Lord Hotham.	Sir Philip Egerton.
Mr. Dodson.	Mr. Howard.

The Committee proceeded with the consideration of the Draft Report.

Further amendments made.

Question, "That this Report as amended be the Report of the Committee," put. and *agreed to.*

Ordered, "To Report together with the Minutes of Evidence and Appendix.

LIST OF WITNESSES.

Jovis, 16° *die Junii*, 1864.

	Page
Ralph Robert Wheeler Lingen, Esq.	1

Lunæ, 27° *die Junii*, 1864.

Ralph Robert Wheeler Lingen, Esq.	18
The Rev. Frederick Watkins	29
The Rev. Longueville Jones	32

Martis, 28° *die Junii*, 1864.

Ralph Robert Wheeler Lingen, Esq.	33
Mr. James Tilleard	36
John R. Morell, Esq.	38
Matthew Arnold, Esq.	41

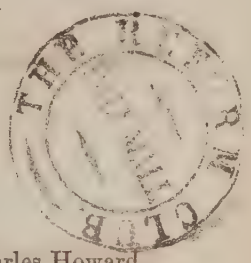
Lunæ, 4° *die Julii*, 1864.

Ralph Robert Wheeler Lingen, Esq.	45
Matthew Arnold, Esq.	53
The Rev. Edward Douglas Tinling	54
The Right Honourable the Earl Granville	55
The Right Honourable Robert Lowe, M.P.	56

Martis, 5° *die Julii*, 1864.

Ralph Robert Wheeler Lingen, Esq.	65

MINUTES OF EVIDENCE.



Jovis, 16° *die Junii*, 1864.

MEMBERS PRESENT.

The Lord Advocate.	Lord Hotham.
Lord Robert Cecil.	The Honourable Charles Howard.
Mr. Dodson.	Mr. Howes.
Sir Philip De Malpas Grey Egerton.	

EDWARD HOWES, Esq., IN THE CHAIR.

Ralph Robert Wheeler Lingen, Esq., called in; and Examined.

R. R. W. Lingen, Esq.

16 June 1864.

1. *Chairman.*] YOU are the Secretary to the Committee of Council on Education, are you not?—I am.

2. When were you first appointed?—In the year 1850; but I had held the office as the *locum tenens* of Sir James Shuttleworth during the year 1849.

3. Then you are conversant, of course, with the practice of the office since your appointment?—I am.

4. Inspectors of Schools were first appointed during the year 1840, I believe?—In 1839.

5. What were the first instructions given to Inspectors of Schools?—They are printed in the volume of the Minutes for 1844.

6. Do you remember what is the date of the minute?—Those instructions are dated August 1840; they appear in an earlier volume of the Committee of Council, that for 1839–40, but they are repeated in the volume of 1844; the volume of 1839–40, I think, is rather more difficult to obtain; it is the one of 1844 that is usually quoted, but the copies of the instructions in each are identical.

7. Under those instructions, what reports was it the practice of the inspectors to make?—The inspectors always wrote an annual report, which was submitted to Parliament, and also wrote reports upon the individual schools which they inspected.

8. Were those reports on individual schools laid before Parliament?—In the earlier years of the Committee of Council those reports on individual schools were printed in the volumes that were laid before Parliament. As the number of inspectors increased, the printing of those individual reports on schools swelled the volumes to a very inconvenient extent. There were considerable remonstrances from the Treasury upon the subject, and from the Stationery Office, and from a Committee of this House on public printing, some years ago. I could furnish the dates, but I have not them in my memory at this moment. Thereupon the reports on individual schools were separated from those annual or general reports that were submitted to Parliament, and were printed separately, and were circulated in that printed form in each inspector's district—at first, if I recollect rightly, gratuitously, and ultimately for sale. But the distance of time at which those reports on individual schools were printed, and reached the managers, was considered to be exceedingly inconvenient. An inspector visited a school, for instance, at the beginning of 12 months, and this

R. R. W. Lingen, Esq.

16 June 1864.

this printed report did not go down into the country, and did not finally reach the managers till 12 months afterwards. In the interval, of course, there was time for the circumstances very much to have changed. When Mr. Adderley was in office in 1858 and 1859, he thought it highly important that those tabulated reports should be communicated to the managers of the schools as soon as they were made, and as part of the communication which was made to them from the Council Office respecting any grants which they were going to receive. That of course imposed a very large amount of copying labour upon the Educational Department; and Mr. Adderley stated to Parliament at that time, both I think in his speech, and certainly in the report of the Committee of Council, that he should continue printing the reports only so long as the sale of them covered the expense. They continued, I think, for one or two years afterwards, both to be communicated to the managers in manuscript, and also to be printed. But subsequently the Treasury found that the sale of them was so exceedingly small, that they refused to go on with the printing of them, and they are no longer printed. The only reports which are now submitted to Parliament are the general reports of the inspectors.

9. Have any alterations or additions been made to the instructions to the Inspectors of Schools which were given in 1840?—Those instructions continue to be the basis of their duties; but when those instructions were issued in 1840, no grants were made for the maintenance of schools—no grants in the nature of those which are now called annual grants. As soon as annual grants began to be made in 1846, a very considerable change in the duties of the inspectors took place. Previously they had merely to visit the schools, which were opened to their inspection, and to report upon them, very much at their own discretion. But as soon as annual grants began to be made to schools, and to depend upon certain conditions, which were embodied in minutes of the Committee of Council, the duties of the inspectors in the examination of particular schools from that time had to conform more strictly and uniformly to the minutes in question. They had to verify the conditions upon which those grants were dependent, and to that extent their duties since 1846 have been changed by a variety of instructions in detail. The principal part of their duty, what I may call the essence of it, depends still upon those original instructions.

10. Was there any alteration or addition made to the instructions, especially with respect to their reports in 1858, or about that time?—From time to time, I should say from as early as 1851 or 1852, the length to which many of those reports ran caused a good deal of remonstrance and attention, and various instructions were issued as to curtailing those reports, and confining them to the subject-matter of the inspection itself; the most important of those instructions were some that were issued by Mr. Adderley in November 1858, I think; I am not quite certain as to the date, but it was about that time.

11. Were those instructions in a minute?—No, they were in a circular.

12. Was that circular published or laid before Parliament in any way?—Certainly, some extracts from it were; at this moment I am not certain whether the whole of it was laid before Parliament.

13. *The Lord Advocate.*] Have you got the instructions there?—I have no copy with me; I can produce one.

14. *Chairman.*] That was in 1858?—Yes, that was in 1858.

15. Since that time have the instructions been varied?—At the beginning of 1861 the Lord President and Vice-President of that time had to consider the whole subject of reporting; there was a debate upon it—upon Mr. Adderley's instructions, in fact—in 1859; and, looking to that debate chiefly, and to the general state of the question, the Committee passed this minute, dated 31st of January 1861: "Their Lordships having considered the instructions issued from time to time to Her Majesty's Inspectors of Schools for the preparation of their annual reports, find the sum of those instructions to be that the inspectors must confine themselves to the state of the schools under their inspection, and to practical suggestions for their improvement; if any report, in the judgment of their Lordships, does not conform to this standard, it is to be returned to the inspector for revision; and if, on its being again received from him, it appears

appears to be open to the same objection, it is to be put aside as a document not proper to be printed at the public expense."

16. *The Lord Advocate.*] Do you recollect what particular circumstance it was that directed the attention of the department at that time to the instructions relative to the Inspectors' Reports?—In the volume that was printed and submitted to Parlament in the year 1860, there was a report from one of the Roman Catholic School Inspectors, which entered into various statements as to the comparative morality of Roman Catholic and Protestant countries. A Member of Parliament, I forget at this moment who, called the attention of the Vice-President to this report, and complained very much that it should have been printed in the Committee's volume as being unconnected with the inspectors' duties. The notice that was taken of that report led the Vice President to review the various instructions which had been issued upon the subject of reporting, and the minute which I have just read was the result of that review.

17. Will you explain to the Committee what the practice had been previously in regard to reading over and superintending the reports of the inspectors, beginning with Mr. Adderley's practice in 1858-59?—If I might be allowed to read a letter which I furnished to Lord Granville in explanation of the practice of the office, I think that might possibly give it in the shortest form; that letter was dated the 18th April of this year: "My Lord:—In answer to your Lordship's inquiries with regard to the alleged mutilation of the reports of the inspectors, I beg leave to submit the following statement: From the earliest times of my connexion with the office, it has always been the duty of some one officer to carry the Inspectors' Reports through the press, and the secretary has discharged, permissively, a sort of editor's duty; previously to 1858 this came to very little; a private note or a personal communication might pass, most frequently with a view to condensation. About that time, however, the increasing size of our volumes, and the wide range taken by some of our reports, had become frequent matter of complaint at the Treasury, and had been noticed in Parliament: fresh instructions were therefore issued in 1858 to reduce the length, and confine the subject-matter of the reports; and in 1859"—that was in Mr. Adderley's time—"the Vice-President used to read the reports himself in manuscript, and strike out from them before they went to press those passages which he regarded as not conformable to the instructions. The inspector, when he had his manuscript back with his proof, had the opportunity of seeing what had been struck out of it. The debates which occurred in Parliament about this time appeared to me to leave the Committee of Council at least in some degree responsible for the exclusion of irrelevant matter from the Inspectors' Reports, and I therefore directed the officer who read them for the press to examine them with increased care."

18. Who was that officer?—He was a clerk in the office who had been one of the masters of Kneller Hall, but who, on the breaking up of that establishment, was placed upon the establishment of the Education Department in the Council Office.

19. What is his name?—His name is Tilleard; he was peculiarly familiar with all the details of education; he had been a student at Battersea, in the time of Sir James Shuttleworth, and he had been afterwards a schoolmaster at Kneller Hall; and with all the details of the subject-matter of these reports he was very familiar. This is the conclusion of the letter: "The mode in which he was to call my attention to anything requiring it was not fixed to any particular routine; he was at liberty either to speak to me with the report, or to mark it, at his discretion. The report, at this stage of its progress to press, was treated like any other official paper. Such was the state of matters throughout 1859, and I do not remember any particular change taking place in 1860; but one of the reports in that year was objected to in Parliament as irrelevant, because it entered into a comparison of Protestant and Roman Catholic countries in respect of chastity. This led to the Minute of the 31st of January 1861 (the one now in force) being passed. For some time after this minute the practice was to mark or note any passages in the Inspectors' Reports which appeared to be irrelevant, or otherwise at variance with the minute, and to return them, so marked or noted, to the inspector for re-consideration, and this practice I did not consider to be inconsistent with the minute."

R. R. W. Lingen, Esq.

16 June 1864.

20. Will you explain to the Committee what you understood to be the intention, and object, and spirit of the Minute of 1861?—I consider that it chiefly settled this point, that if the Committee of Council finally came to the conclusion that an inspector's report was one that they were not willing to present, they would take the responsibility of withholding it; I considered that that was the point which the minute settled.

21. In your reading of it you did not think yourself precluded from marking passages to which the inspector's attention was to be drawn?—No, I did not.

22. Did anything occur in the course of the year 1862 to draw the attention of the Vice-President again to that subject?—In the year 1862 an inspector's report was returned to him a second time, having been returned to him in the previous year; and I think he complained then that the report was not marked as it had been on the previous occasion.

23. In consequence of that, did the Vice President communicate with you upon the subject?—The Vice President then issued a written order that the reports were to be returned to the inspectors without being marked.

24. Do you remember the date when those instructions were given?—It is stated in my letter; the date was the 14th of February 1862.

25. Since that time what has been the practice?—As soon as I was clearly aware of the mode in which the Minute of 1861 was intended to operate, the reports have been simply returned to the inspectors.

26. Without being marked?—Without being marked, except as I have stated in my letter to the Lord President: "Since that time, the practice of marking or noting the reports has of course been discontinued, and if any later case has occurred it must have arisen either from inadvertence or for some special reason, which, if the marked or noted passage were shown to me, I have no doubt I should be able to explain."

27. And that from February 1862 down to the present time has been the practice of the office?—Yes; I believe that to have been the practice of the office.

28. Can you tell me how many reports have been suppressed under the Minute of 1861?—In the year 1861, Mr. Morell's Report was withheld; that was his report for 1860, which would have been presented to Parliament in 1861, but was not presented.

29. Lord *Robert Cecil.*] Which Mr. Morell was it?—Mr. J. R. Morell, the Roman Catholic Inspector. In 1862 Mr. Watkins' Report for 1861 was not presented, and also Mr. Warburton's Report. In 1863, Mr. Longueville Jones' Report, Mr. Moncrieff's Report, Mr. Watkins' Report, and Mr. Matthew Arnold's Report, were not presented.

30. *The Lord Advocate.*] Those were the reports of those gentlemen for 1862?—Those were the reports of those gentlemen for the year 1862.

31. Will you inform the Committee how many inspectors there are?—Sixty.

32. In the case of the reports which you have mentioned, were the reports sent back to the inspectors under the terms of the Minute of 1861?—They were merely returned in this form: "I am directed to return your report to you, and to call your attention to the minute upon the following page."

33. With a copy of the minute on the following page?—With a copy of the minute on the following page.

34. Were those reports not presented to Parliament in accordance with the minute, and for the reasons there indicated?—On being received back from the inspectors without alteration, they were simply laid aside; I am not sure that my evidence is quite accurate as to the date of that letter of Mr. Watkins', with respect to his report having been returned to him without having been marked.

35. Will you explain this to the Committee: I understood you to say that, in consequence of Mr. Watkins having made a complaint that his report was not marked as it had been in the previous year, the Vice President became aware that the reports were marked?—Yes.

36. And accordingly he gave the instruction you have alluded to?—Yes.

37. Have you the means of informing the Committee what the passages were in the reports that you have mentioned to which objection was taken, or which were supposed to be contrary to the Minute of 1861?—I have one memorandum upon the subject of the passages to which attention was called; but the decision upon these cases was come to by the Vice-President; and on what

what particular part of each report he might have founded his judgment I have not the means of stating to the Committee.

38. Then in these cases it was not on your suggestion, but upon his own, that these reports were returned?—The reader for the press, in the first instance, called my attention to anything that he thought I ought specially to notice; I then sent on the reports to the Vice-President, with any remarks of my own that I thought the case called for. The ultimate decision of going to press or not going to press was made by the Vice President.

39. And probably upon the passages to which you had called attention?—In all probability.

40. In regard to any of those reports, have you the reports here, so that you can show the Committee what the passages were that you thought infringed upon the principle of the minute?—I have here Mr. Warburton's Report for 1861; not the manuscript of it, which was returned to him. This report was set up in type in the office, but was not presented to Parliament; it was stopped after it had been set up in type. The manuscript copy I have not got; that is the earliest of the suppressed reports which I have. Of those in 1862, I have not Mr. Longueville Jones's, but I have a copy of it in manuscript, and I have the originals of Mr. Moncrieff's Report, Mr. Watkins' Report, and Mr. Matthew Arnold's Report.

41. I am anxious that you should indicate to the Committee the grounds upon which, as far as your knowledge goes, the course you have stated was followed with regard to those reports?—As far as I can state in general terms, the reason why reports were not presented was this, that wherever an inspector related anything, upon his own experience, as a fact which had come under his knowledge, that was not objected to; but that so far as he argued respecting the future, and if his arguments respecting the future contradicted the policy of his department, then those reports were not presented.

42. And as far as you recollect, in regard to individual instances in question, that was the ground upon which the reports were withheld?—Yes.

43. The department considered that general views or arguments upon the policy of the department, if against that policy, were improperly introduced into those reports by the inspectors of the department?—Yes. I would refer to Mr. Lowe's statement in Parliament on the 11th of June 1863. Mr. Lowe said, "They" (the inspectors) "should maintain silence if they cannot agree with the heads of their department. No person will say that subordinates ought to be allowed to write controversial letters in the newspapers, disputing the policy of their superiors. So with respect to official reports laid before this House; I hold that it is the clear duty of every department to prevent the writers of reports from entering into controversy as to matters decided upon by the chiefs of the office; in other words, as to the policy of the department—" and he went on to add some words to that, which were tantamount to saying —" whether for or against it."

44. In point of fact, does it consist with your knowledge that argumentative passages in favour of the existing system have been omitted from the reports by the department?—Yes.

45. Will you explain to the Committee to what you refer?—There were certainly three inspectors who had expressed themselves in direct terms very favourably to the revised code, in whose case those passages, with their own consent, were removed from their reports.

46. Who were they?—Mr. Bellairs, Mr. Blandford, and Mr. Norris.

47. For what year were those reports?—Those were reports for the year 1862, I believe, presented to Parliament in 1863.

48. And they did consent to exclude those passages?—They did.

49. In the instances which you have mentioned, would the omission of the passages that were objected to in any degree have affected or altered the general tenor of the report?—I do not think they would.

50. As far as the reports related to facts falling within their cognizance, the reports would have stood equally available without these passages as with them?—Yes, I see that Mr. Watkins' two letters, stating that his reports had not been marked as they had been previously, are dated the 21st of February 1863, and the 7th of March 1863.

51. Lord *Robert Cecil.*] What is the date of the Vice-President's letter forbidding

R. R. W. Lingen, Esq.

16 June 1864.

bidding the future marking?—The date of his written order, which is quoted in my letter to Earl Granville, is the 14th of February 1862.

52. Then it could not have been written, of course, in consequence of Mr. Watkins' complaint?—It could not have been written in consequence of the complaint in this letter; but I presume that it was written upon some marked report or other that came before the Vice-President at that time.

53. Will you be good enough to read Mr. Watkins' letter of 1863?—The first is 21st of February 1863: "I have the honour to return to you herewith the manuscript of my general Report for 1862, which I have received from you by this post, and to point out to you that, though it has been returned to me under the circular of August 27th, 1862, no passage in it is marked as objectionable; I am therefore utterly at a loss to know what it is in my report that is censured; I drew it up most carefully in conformity with your letter of instructions, and I believe that it is entirely both according to the spirit and the letter of that document; but I shall be most happy to consider any objections which may be pointed out to me, and, if I can conscientiously, alter the passages censured."

54. Then Mr. Watkins had not been informed of this written order of the Vice President?—That written order of the Vice President was not communicated to any inspector.

55. Will you read the written order of the Vice-President?—I sent this morning for the order, which was made out to a clerk—the order that was shown to me before on this subject; I do not think it was this paper which I have here; I only sent for this just at the last moment; I was told that it was desirable that I should bring this order with me; I am not sure that this is the only one that has been issued upon the subject, but this is the only one that I have with me now; it is in these terms: "Mr. Tilleard:—Mr. Lowe directs that Mr. Watkins' general report shall not be printed. Secondly, that no red ink marks shall be made on the inspector's manuscript reports; the best way will be, to turn down the corner of the leaf of the page to which attention is to be drawn," that is signed "W. E.", that is Mr. William Edwards, the private secretary of the Vice President, and it is dated the 14th of February 1862.

56. *The Lord Advocate.*] That is an instruction from the Vice President to Mr. Tilleard, to regulate his proceedings on the first reading of the manuscript?—Yes.

57. Lord *Robert Cecil.*] As far as your knowledge goes, that order was never subsequently disobeyed?—I think not; my mind is not clear upon this subject without asking further as to that letter of Mr. Watkins in 1863, stating then that his report had not been marked for him as it had been in the previous year; but according to the best of my recollection, after that order of the Vice President, reports were not marked.

58. Then, no report was sent back to an inspector with red ink marks upon it after the date of February 1862?—I should not like to state a general negative of that kind, but, to the best of my recollection, I cannot recall any report that was so sent back at this moment.

59. Every report, I presume, passed through your hands on its way from Mr. Tilleard to Mr. Lowe?—The practice was this. The reports came into Mr. Tilleard's hands on their way to press, and the ordinary course was, that he would see that the paging was all right, and duly acknowledge the copy, the proofs, and so on, and carry them through the press. At that stage, as a matter of official convenience, he called my attention, and I called the Vice-President's attention, to any matter that seemed to require it, conformably to the instructions that had been issued on the subject of reporting. Many reports, I think, very probably went to press without any stoppage whatsoever. It was only those reports that appeared to suggest a question that were brought to me, and taken by me to the Vice-President. If there was any stoppage, it was the exception, and not the rule.

60. Then, if any red ink marks had been made by Mr. Tilleard in any reports subsequently to February 1862, they could not fail to have come under your notice?—No.

61. If they had come under your notice, you would have known that they were contrary to Mr. Lowe's instructions?—Certainly. When the letters of Mr. Watkins in 1863 came in, I had my attention very forcibly called to those instructions at that time. That was with regard to the report of 1862. But whether

whether in 1862 I was as clearly conscious of those instructions as I was at the beginning of 1863, I really cannot call upon my memory to say. If that order was communicated to me, I either was, or I ought to have been, so conscious; in all probability that order was communicated to me, and I acted upon it.

62. You have no recollection of its being communicated to you?—I have not a distinct recollection of that order being communicated to me. I cannot suppose that it was not communicated to me, but I have not a distinct recollection of the fact in 1862. What chiefly impressed these matters upon my mind individually was those letters of Mr. Watkins in 1863.

63. Then, at all events, the order was intrusted to Mr. Tilleard, and Mr. Tilleard will be able to inform us as to whether it was subsequently broken or not?—Yes, he will.

64. Passing from the point of the marks, I will first ask you to put in all the suppressed reports which you have, the manuscripts?—Perhaps you will permit me just to state what happened with regard to Mr. Warburton's report. A letter was addressed to him, I think, by yourself, asking for his report; that letter was communicated to the Lord President; and the Lord President directed me to answer, that an inspector was not at liberty to give up his manuscript without the permission of his department, but that the department gave him permission to do it. Of course I am under the Lord President's orders, and personally I have not the slightest objection to put all those reports in; it is simply a question of my obedience to the Lord President. The reports which I possess are these; I have Mr. Warburton's in print, but not in manuscript.

65. He possesses it in manuscript?—Yes; he has it in manuscript, if it is in existence. Mr. Warburton's report is for the year 1860; presented to Parliament in 1861; Mr. Watkins' Report for the same year I do not possess; but I have Mr. Watkins' letter, saying that he has destroyed it.

66. Have you Mr. Watkins' Report of 1862-63?—I possess the manuscript of it.

67. Have you Mr. Matthew Arnold's?—Mr. Matthew Arnold's and Mr. Moncrieff's I possess.

68. Have you Mr. Longueville Jones'?—Mr. Longueville Jones in that year wrote two reports; the first report was returned to him, and he has the original, but I possess a copy of it.

69. That was for the year 1862-63?—Yes; in that same year Mr. Longueville Jones wrote a second report, of which I possess the original; Mr. Morrell's report, which you asked me for, was the report written for 1860-61.

70. It was not subsequent to this minute then?—Yes; the first report after that; it was the report of 1860, which would have gone to press in the beginning of 1861; his copy was returned to him; I do not possess it.

71. Mr. Warburton's, I think, is the only one that is in the possession of the inspector, out of all those reports?—Mr. Warburton's Report for 1861-62, and Mr. Longueville Jones' Report for 1862-63, are in the hands of the reporters.

72. Then, of course, the department can procure them from them?—If they are in existence.

73. At the period subsequent to the letter of 1862, in what way did Mr. Tilleard communicate to you the passages which he thought were inconsistent with the Minute of 1862?—He must either have spoken to me about them from a separate paper in his hand, or he must have given me the paper in which he had made his own memoranda respecting the passages to which my attention ought to be called—I am assuming now that no further marks were made upon the reports.

74. Have you any of those memoranda?—I have one.

75. What report does that refer to?—That refers, I think, to Mr. Watkins' Report for 1862-63.

76. How did you communicate your opinion upon those passages to the Vice President, verbally or in writing?—In one instance in writing, possibly in more instances, but I do not recollect any other. The ordinary mode in which I communicated it to him was the same course that I took with all other official papers upon which I wished to have his orders; they were given to his private secretary, and in the case of Inspectors' Reports, usually by Mr. Tilleard; I asked Mr. Tilleard to take the reports to the private secretary.

77. With no indication of your opinion either upon them or upon any separate

R. R. W. Lingen, Esq.

16 June 1864.

separate paper?—In one instance I sent an indication of my opinion; in this same case where Mr. Tilleard had made remarks, there is a memorandum of mine upon the separate paper; but as a general rule my impression is, that I sent them simply to the Vice President; I should have exercised probably thus much discretion, that if I thought the passages were of no consequence, I should have told Mr. Tilleard to let the report go to press; if I thought the passages were of consequence, I should have told him to take them to the Vice President's private secretary, and I might or might not, according to circumstances, have made a memorandum of my own upon them on the paper. I had not discussions with the Vice President upon reports in detail.

78. You had no means of knowing, I suppose, whether these reports afterwards went to the President?—The only report which I knew did go to the President was Mr. Longueville Jones' report of 1862-63. As a rule, I should say that none of those reports went to the President. The action of the office was very much this: printing was the rule; they went straight to the press, if the reader for the press saw nothing out of the way in them; he brought them to me if there was anything that he thought my attention ought to be called to. If I did not feel competent to resolve the question, I sent them to the Vice-President. With the Vice-President my own responsibility, as a rule, ended.

79. Under this Minute of 1861, the Committee of Council took exception to certain passages in the report, did they not?—Yes.

80. It sent back the report to the inspector, that he might remove those passages, with the understanding that, unless he removed them, his report would be suppressed?—The letter, which I will produce at the next meeting of the Committee (I have not a copy with me now), was in terms of this nature: "Sir;—I am directed to return to you your report for the year (so-and-so), and to call your attention to the minute which you will find upon page 2;" that was the Minute of the 31st January 1861. The letter, if I recollect rightly, said nothing more than that. This is the general form of the letter. I have the minute of a letter that was written: "I am directed by their Lordships to forward, for your information, the enclosed circular of the 15th of August 1851" (that was instructing them to report), "and to call your especial attention to the minute which appears upon page 3," (that is the Minute of the 31st January 1861). "Your general report for the year 18— is herewith returned, in accordance with the second paragraph of that minute."

81. It was distinctly understood, was it not, by that, that there were certain passages to which the Vice President or the Committee of Council took objection, and that, unless those passages were removed, the report would not be printed?—Mr. Lowe stated in his speech that he considered it an object of that minute not to point out to the inspector the particular passages that were objected to, but to leave him to bring his report into accordance with his instructions. That was the view that the Vice-President took of the Minute.

82. But there were particular passages objected to?—In the earlier practice under that minute there were.

83. I suppose in the later practice there were particular passages objected to also, were there not?—They were not indicated to the inspector.

84. But they were objected to?—I apprehend that there must have been particular passages objected to in every report that was returned to an inspector, necessarily.

85. The working of the minute was, that unless those passages were removed the report would be suppressed, was it not?—That was the working of the minute.

86. there was no doubt in the minds of the heads of the office that the inspector would know what the passages were to which exception was taken?—So you will find it stated in Mr. Lowe's speech.

87. Then, for all practical purposes, the Committee of Council did require the inspector to expunge certain passages from his report, under pain of suppression of his report?—I do not think, with the interpretation that Mr. Lowe has put upon what he intended by that minute, that I am quite at liberty to say that that was the intention of the Heads of the Department. He considered it part of the policy of the minute to say to an inspector: This is not a report which we will print at the public expense; if the inspector said, Why? There was no answer to that question; he was merely referred to his instructions.

88. As

88. As a matter of fact, was it not perfectly understood by the heads of the department on the one side and by the Inspector on the other, that certain passages were objectionable, and that if those passages were not removed the report would not be published?—This letter of Mr. Watkins in 1863, at any rate, stated that he did not know what was objected to, and that he wished to be informed.

89. Do you mean to say that the heads of the department sent the report back, in the confidence that the Inspector would not know what was wrong; did they mean the Inspector to know, or not to know, what it was that was objected to?—Perhaps I may read Mr. Lowe's words, which I think will be an answer to that question.

90. I should prefer your own; they might be more distinct, but pray read those words if you wish?—Mr. Lowe said on the 11th of June 1863, in Parliament—"The Honourable Gentleman (Mr. Forster), will doubtless say, 'Why not point out to the Inspector the points to which you object?' That is an open question; but we thought it best to send the reports back without remark, leaving the Inspectors to make the necessary alterations themselves; but intimating that if the reports were not made to conform to our Minute, we should not lay them before Parliament. That is the practice which has prevailed for the last two years."

91. That is to say that it was the practice which had prevailed since February 1862?—Yes.

92. Then you are unable to inform me whether in sending back those reports, the heads of the department believe that the Inspectors would know what passages they were to which exception was taken?—I believe myself that an Inspector who carefully looked over his report would know.

93. Then sending those reports back, was requiring him to alter the passages to which exception was taken, and which the Inspector, as you say, would know?—It might have the effect of leading him to do so, but I think after the words which I have just read from the speech of Mr. Lowe, I am not at liberty to say that it was requiring him to suppress particular passages.

94. You say it might have the effect of inducing him to do so. Was not it intended to have the effect of inducing him to do so?—I should say that it was.

95. Then when the Committee of Council sent back those reports, they intended to induce the Inspector to remove certain passages to which they took an objection?—I should say so.

96. And the mode of their inducing him was the knowledge on his part that his report would be suppressed, unless he did so remove those passages?—The words are "unless he made his report conformable to his instructions."

97. In the minds of the heads of the department making the reports conformable to the instructions, was removing the passages to which objection was taken, was it not?—Yes, in the minds of the heads of the department.

98. Do you seriously mean to say, that the account of the matter which you have now given, differs in any practical or effective meaning from the statement that the Committee of Council required him to mutilate his report?—The statement was that the Committee of Council mutilated the report. Mr. Lowe stated several times in the House of Commons, that the Inspectors were left to mutilate their own reports; he adopted the phrase.

99. My question is, do you seriously mean to say that the account of the matter which you have given, differs in any practical or effective meaning from the statement that the Committee of Council required the Inspector to mutilate his report?—Certainly; I do not think that the term "mutilate" would apply to that practice.

100. What is the objection you make to the term "mutilate"?—Mutilation seems to me to have a totally different meaning from alteration or removal; it is a word of greater censure, and implies a greater alteration of the general context and bearing of the report.

101. If you took an important passage out of a document, you would not, in your opinion, mutilate it?—Most certainly you would, if the person who had composed that document had not been consulted upon the subject.

102. If you induced him by a threat, open or implied, to take an important portion from that document, would you not be inducing him to mutilate it?—I think that his consent makes all the difference.

R. R. W. Lingen, Esq.

16 June 1864.

103. No matter by what motive or pressure or menace, that consent may have been obtained?—The menace in this case is simply "Your report will not be printed."

104. At all events, without stopping to discuss the word "mutilate," as I understand you admit that the Committee of Council in effect induced the inspectors, by informing them that their reports would not be printed, to remove portions from those reports?—In effect they did not always induce them, because the Inspectors whose names I have furnished you with, did not alter their reports, and their reports were suppressed.

105. They took measures to induce them to do so; their object was to induce them to do so, was it not?—The object was that they should write such reports as the department, in its judgment of its public duty, should think it right to lay before Parliament; on failing to induce the inspectors to do that which the department held in those circumstances to be their duty, the reports were not presented.

106. Did or did not the department try to induce the Inspectors to remove a portion from their reports?—They undoubtedly tried to make the Inspectors alter portions of their reports; the reports were returned to them as not conformable to their instructions.

107. To alter by erasure?—Not necessarily.

108. To alter by taking out passages to which objection was made?—Not necessarily by taking them out.

109. At all events, in many cases that was so?—I really think it does not arise upon the documents that were sent to the Inspectors, nor at all, as far as I know of the inner history of these things. The report was sent back to Inspector as objectionable; he might make it unobjectionable possibly by removing passages, or possibly by re-writing.

110. I am to understand you to state, that in your opinion, the state of facts which you have laid before the Committee does not amount to this, that the Committee of Council tried to induce the Inspectors to remove objectionable portions from their reports; it is your opinion that they did not try to do so?—The only word in that statement which seems to me to go too far, is the word "remove."

111. What word would you substitute in its place?—I should like to substitute the actual communications that passed between the Office and the Inspectors. Here is the Minute, stating what the report ought to be; here is a report sent in; here is the judgment of the Committee, that it does not conform to the Minute; the Inspector says, "Why?"; the answer is, that we do not consider it good policy, or for the interests of the service, to tell you; that was the course of things.

112. The Committee of Council desired that those portions to which they objected should be removed from the reports, did they not?—Yes, or altered.

113. Or altered, so that they should become unobjectionable?—Yes.

114. And you are of opinion, that when the Committee of Council sent back reports to the Inspectors, in order that objectionable passages might be removed or altered, the Committee of Council was not open to the charge of altering the reports?—No, I think not; not of altering the reports.

115. "*Qui facit per alium facit per se*," is not a proverb to which you give your adhesion?—I have really no wish to fence with these questions; I am prepared to answer them as fully and as truthfully as I can, but when you ask me what other people intended, I necessarily speak with a certain reserve; and it is quite open, I suggest, with all respect to the Committee, to ask those under whose orders I acted, as to what their intention by this Minute was.

116. You desire that the heads of your department should answer these questions?—I do not think I can answer fairly the question what their intention was by their own Minute.

117. I understand you to admit that the reports were not presented if any of the arguments contained in the Inspectors' reports contradicted the policy of the department?—Yes, that is true as regards arguments only; if an inspector had reported a matter which he had observed, whether it was for the policy of the department or against it, that would not have come within the scope of the Minute.

118. But if he pointed those facts by showing how they confuted the policy of the department, that inference would be objected to?—Yes, I think so.

119. In

119. In point of fact, I suppose that happened more than once?—Yes.

120. It is true, therefore, that the Committee of Council have refused to publish reports containing opinions unfavourable to its own educational views?—Opinions, yes.

121. And, therefore, statements of opinion?—Statements of opinion, yes.

122. On the other hand, do I understand you to assert that the Committee of Council have exercised an equal rigour in excluding all statements of opinion favourable to their own educational views?—In the instances that I have quoted, they certainly did.

123. I have no doubt they did it sometimes; did they do it always?—I do not think they ever consciously did otherwise.

124. May I draw your attention to this passage in the Report of Mr. Norris for the year 1862, in the middle of page 51: "If we add the children of non-conformist schools, we shall find nearly 40 per cent. of all who might be at school are now enjoying the benefit of your Lordships' measures; of the remaining 60 per cent., some are at unaided schools, some at private schools, some not attending any school. Those who complain of the great number of schools in the country still outside of the pale of Parliamentary assistance are apt to forget the rapidity of the advance up to the present point." Do you not think that is a statement of an argument in favour of the policy of the department?—I should have thought that it was a statement of fact; it is, undoubtedly, in favour of the policy of the department, but it does not seem to me to be a statement of opinion.

125. It is an argument, is it not?—Yes, undoubtedly.

126. It is a fact, pointed with an inference?—Undoubtedly; it is an argument.

127. Then the Committee of Council does not object to arguments that are in favour of the policy of the department?—I meant by argument this; when a general measure not yet in operation is speculated upon as to its probable effect. I was contrasting the word argument with fact and experience. An Inspector, upon his own facts, may base whatever argument they will support.

128. Allow me to call your attention to page 61, in the report of 1862-3, "With cases such as the foregoing before me, I cannot believe that the condition whereby the teacher is required to be certificated, prevents the poorest or humblest schools in my district from availing themselves to the full of Parliamentary assistance. To cancel that condition would be simply lowering the educational standard to the level of the bad schools—I say the "bad schools" advisedly, because among the unaided schools, the few here and there that are efficient do not need or wish for assistance; do you not think that is an argument in favour of the maintenance of certified teachers and against Mr. Walter's motion?—It is an argument, undoubtedly; but I would venture to submit that the Inspector purports to rest it upon the experience gained in the exercise of his own functions.

129. Have no arguments been excluded adverse to the policy of the department which rest upon the Inspector's experience in the exercise of his own functions?—The arguments which have been excluded have been of this nature: such and such a measure will not work well.

130. That is what Mr. Norris says with respect to cancelling the condition of certification: he says, "it would be simply lowering the educational standard to the level of the bad schools"; do you mean to tell the Committee that that is not an argument?—I think it is.

131. Then an argument has been admitted favourable to the policy of the department?—Yes.

132. I want to go into another question with respect to the reports to which you made allusion in the early part of your evidence; I mean the particular reports; I presume all that you have said about not making alterations in the reports does not apply to those particular reports?—No.

133. You have made alterations freely in them, have you not?—I have made alterations only to this extent in them, that I have repeatedly sent them back to the Inspectors, pointing out where they were at variance with the Committee of Council's Minutes. If I may make an explanation at this stage, I think it will show the bearing of those reports. Annual grants are paid after the Inspector's annual inspection. Upon the payment of those grants a considerable number of communications are made from the department itself to the

R. R. W. Lingen, Esq.

16 June 1864.

the managers, showing why particular payments are made or witheld, and calling attention to any particular circumstances in the school which ought to be noticed before the Inspector arrives the next year. It was only in the year 1858, that Mr. Adderley laid down the rule that the Inspector's own remarks should form a part of this communication to the managers. The gist of the Inspector's report, the salient points of it, had been always communicated to the managers after each report; in the form of report which the Inspector uses on particular schools, there is a short space left in which he has to insert such observations as he wishes to be communicated to the managers; those observations in effect form a part of the Committee of Council's communication upon the grants which are to be made. With respect to that part of the Inspector's report, if it conveyed to the managers any information contrary to rules which would be acted upon by the department in paying grants to the school, I have, without any hesitation whatever, called the Inspector's attention to the particulars in which his observations might mislead the managers, or misrepresent the practice of the department in making grants to the particular school in question. To that extent those reports have been altered, but they have been sent back to the Inspector with marginal notes upon them.

134. Do I understand that the Inspector had the option of altering or not altering as he liked?—The Inspector could always remonstrate against the alteration.

135. But it was not his alteration, but your alteration?—It was accepted by him.

136. Invariably?—In all the recent cases that I can recall it was invariably accepted.

137. Did you never make any alteration or induce an Inspector to accept one which materially altered the sense of his report?—I may certainly have induced him to make alterations of this kind, where his remarks would have led the managers to expect a different treatment of their school, in the grants the next year, from that which his entire report might have induced them to expect.

138. In short, when the Committee of Council had come to a decision that the school ought not to receive a grant, and the report of the Inspector was such as would justify the managers fully in expecting a grant, and in such cases you thought yourself at liberty to induce the Inspector to alter his report?—The cases are of this kind; the remarks of the Inspector are only part of a report, of some pages in length, which he makes to the Committee of Council, and the Committee of Council makes its grant upon this whole report; the observations which are communicated to the managers are only some few lines, and if those observations were of such a nature as not to call the managers' attention to the points dwelt upon in other parts of his report, which would lead the Committee of Council to pronounce an opinion different to those few remarks that were to be communicated to the managers, then I should certainly have sent them back to him to alter. That is the form of the Inspectors' reports (*producing a paper*): this is on three schools, boys, girls and infants, and at the bottom of each of them there is the short space of which I have spoken (133) left; the whole of that form of report comes before the Committee of Council on each school to which the grant is to be paid.

139. The important point is, is it issued to the managers, not as your opinion, but as the Inspector's?—Yes.

140. If there is a defect in the school, and the Inspector suggests a ground why that defect should not operate to the prejudice of the school; if the Committee of Council do not think fit to accept that ground, they strike the defence out, do they not?—They call the Inspector's attention to the fact.

141. But the Inspector's attention having been called to the fact, they induce him to strike the defence out, or, with his acquiescence, they strike the defence out?—Yes.

142. And, therefore, they send down the Inspector's report as an unqualified condemnation of the school, when, in reality, as it proceeded from the Inspector's pen, it was so qualified as to be little or no condemnation of the school?—I think the fair statement of it would be this: they receive a report from the Inspector in very great detail; they receive a summary of his observations upon the school, and they find those two not to be consistent with each other, or inconsistent with the rules under which schools of that kind are to be aided.

They,

They, therefore, call his attention to his judgment. It is the same thing, it seems to me, as when a commander-in-chief sends back the sentence of a court-martial for them to review; it is still the sentence of the court-martial even if they afterwards find directly contrary to their first finding.

143. When the commander-in-chief sends back a sentence for review, he does not insert the words which he wants to be inserted, does he?—I am not acquainted with the details of military matters, and I cannot say how it is done.

144. If you wish certain words in justification of a school to be struck out of an Inspector's report, you do send down that report to a man who entirely depends upon you for his professional advancement, or, at least, his professional status, and you do intimate to him your desire that that justification should be expunged?—You cannot, as is seems to me, in the practice of a department, separate the Inspector's report, which is part of the official communication, from the general responsibility of the Committee of Council in making the grant.

145. The Inspector's report goes down to the managers of the schools, not as it issued from his pen, representing his original real opinions, but as representing those opinions altered at your desire, and in such a way as to be in conformity with your decision?—If I might venture to say so, I do not think such opposition between his real opinions and his altered opinions is necessarily involved in those premises. He is called upon to reconsider the summing up of his report for this, that, or the other reason, and he does so.

146. He is called upon to do so, in order that it may be consistent with the judgment of the Committee of Council, is he not?—Yes.

147. Do you mean to say, that the report retains its original value when it has been altered, in order to bring it into conformity with the opinion of a set of persons totally independent, and not possessing the same means of information as he does?—It might happen that when those remarks were sent down to the Inspector, he declined to adopt them; I have had that case arise not very long ago, and I will state the course which I took upon that occasion; it happened with a young Inspector. The course I took upon that occasion was this: I said, will you allow me to send these papers to the senior Inspector of your class, and let him advise what should be written upon them? That course was taken, and the report was altered by the younger Inspector, in conformity with that advice, ultimately with his own entire consent. It seems to me, that with 60 gentlemen all over the country upon whose reports money depends, unless some sort of central control is exercised over those reports which form part of the Committee of Council's own communications, you will be dispensing money on the most various terms.

148. Do you not think it would be more fair to the managers to communicate whatever opinions you do communicate, as the opinions of the Committee of Council, and not as the opinions of the Inspectors, whose original opinions they are not?—It is very difficult in these matters to satisfy all the parties who are concerned; that very course has been taken before now, namely, to communicate the Inspector's report, and to add, that the Committee of Council did not at all agree with it; but the Inspector has been much more remonstrant upon that state of matters than on those previous communications with himself; he has made the most urgent remonstrance to the effect that it ruined his influence in his district.

149. Do you not think, if an Inspector declined to alter his report as requested, he would stand in the black books of the office?—Not necessarily; and the office can do very little either for or against him when he is once appointed.

150. It could dismiss him, could it not?—Yes; but it would not come to that.

151. *The Lord Advocate.*] I presume that in these individual reports which are intended for the managers, if you think that the Inspector has inserted anything which it is not desirable to send to the managers, you do not permit it to go?—That is so.

152. You are aware that in a particular case, one of these reports was mentioned in the House of Commons by the noble lord; the case of Mr. Morell's report on one of these schools?—Yes.

153. Have you got the particulars with you of that case?—I have not got them with me. I can get them if the Committee desire it.

 154. Will

R. R. W. Lingen, Esq.

16 June 1864.

154. Will you just explain to the Committee what that case was?—The Revised Code came into general operation in the summer of 1863. Practically, grants did not begin to be paid under it before October. The schools are broken up for the harvest, and the earliest period at which inspection is fully resumed is some time in November. The grants begin to be issued about October. I returned early to London that I might watch the earliest cases that took place under that code, and attend to the launching of the system. One of the earlier reports was received from Mr. J. R. Morell upon a school at Coventry. The stage at which I used to see those reports, was when a letter conveying a grant from the Committee of Council was to go out from the Office; the letter came to me to sign. I have here the form that carries out the grants from the Committee of Council; it begins by a summary of the Inspector's report taken from that passage in his form of report which I have spoken of; and after that are added such remarks as the Committee of Council may have to make. In the case of this particular school, Mr. Morell had passed nearly the whole of it under standard 1, which is meant for children between six and seven years of age; he had passed a small portion under standard 2, but he had passed no children at all higher than standard 2, and he recommended the full grant under the Revised Code for this school. When the report came before me, I was very much struck with this, and I sent for the examiner in the Council Office, through whose hands it had gone, to ask him why he had put forward this case for a grant, whereas the children had all been presented under the two lowest standards. Various instructions, I should say, had been issued before that time by the Committee of Council to the Inspectors, to say that the children in the schools were not all to be passed in the first or second standard, but were to be apportioned fairly, according to the order of the classes of the schools, under the several standards that were fixed for examination. At the same time I ordered to be sent down to Mr. Morell his own report, and the examiner's remarks upon the whole case. The examiner went from me with these papers, and did what I did not intend him to do; the report of Mr. Morell was written out again, and communicated to the managers as he had written it, with the refusal of the grant. I suppose that, when the letter came to me to sign, I noticed the latter part of it (the decision) only. This brought a considerable remonstrance from the place, and several letters saying, here is a report favourable to the school, and the grant has been withheld upon it. Those letters were sent to Mr. Morell, in addition to the portfolio which he had got, for his general remarks; and then, when those papers had all come back again into my hands, and I had had time to look over the whole of the case, it appeared that there were reasons for not refusing the whole grant, but for making a partial grant; this was duly explained to the managers, and the usual form was ordered to be written out again, conveying to the managers this reduced grant, instead of the absolute refusal which had been the former decision of the case. I am sorry to say that in this case blunders were accumulated. They wrote out Mr. Morell's report a second time, it having already been communicated to the managers in the way I have described. The form containing this second report came to me to sign; I then, still unconscious that the entire report had already been communicated to the managers, struck certain passages out of it, and wrote to Mr. Morell on the margin:—"This report is neither in conformity with the Revised Code nor with your instructions. Are you content that this passage should be removed, or shall I lay the report before the Committee of Council?" He sent me back the same paper, saying, "you must do as you please." I cannot defend all the mistakes that have taken place in this case. Of my own share in them, I can only say that it was due to my not having noticed at first, and throughout remembered, the communication of the report *verbatim*. I was daily signing great numbers of forms conveying such reports, and this fact escaped me at the time when it occurred. The end of it was, that the grant was communicated to the managers, without any further report from Mr. Morell. I wrote to Mr. Morell a further memorandum, on the same paper that bore my marginal note, to say "I find that the report has been issued in this case under a misapprehension; this case is now at an end." I never could have fully explained the case had it not been for the *fac simile* of my two last communications with Mr. Morell, which is given in p. 12 of "The Coventry case (a mutilated report)." It makes our own registers intelligible.

Appendix (H).

155. In

155. In fact, that report went down exactly as Mr. Morrell had written it?—Exactly as he had written it; but certainly, had my attention been called to it before it went down, I should have sent it back to him to alter.

156. I presume it would be impossible to administer the department without keeping some superintendence over the individual reports?—Certainly, that is my opinion; the system of the department was investigated in 1853 by Sir Stafford Northcote and Sir Charles Trevelyan, and was organised at that time, and they distinctly recognised the necessity of having at the office a small body of gentlemen of the same rank and character and class as the Inspectors, to whom those gentlemen's reports should come, and who should be the secretaries of the Committee of Council *ad hoc*, who should read the Inspectors' reports, and upon them recommend the decision that the Committee of Council ought to take. The word "Examiner," as applied to those gentlemen, was borrowed from the old Board of Control, where there used to be examiners, who examined the despatches that came from Leadenhall-street.

157. Will you mention to the Committee what the passages in Mr. Morell's report were to which you objected?—I have not got the report with me here, but they were of this nature, that the school had done very well, considering that it was a newly-opened school, and that more was not to be expected of it; what I wished to call his attention to was this, that the revised code expressly paid for the result produced, and that he was not at liberty, in conformity with that code, to lead the managers to expect that a different examination would be accepted in one school from what was accepted in another; that they ought to feel that they had to surmount all the difficulties, whatever they might be, that stood in the way of a satisfactory examination, and that that satisfactory examination must be of one kind, and of one kind only.

158. You have stated that those individual reports, although they are sent to the managers, are not laid before Parliament?—They are not laid before Parliament.

159. I presume that the Minute of 1861 did not apply to them at all?—The Minute of 1861 did not apply to them at all.

160. That Minute of 1861 informed the Inspectors that their reports would not be printed unless they were made in conformity with its provisions?—Yes.

161. I presume it was because the Committee of Council thought that it was not for the public service to print reports having that character, that they came to that resolution?—Yes.

162. You were asked some questions as to whether the existing system in conformity with that minute, was or was not mutilation; do you consider it the same thing for the head of the department to strike passages out of a report, and for him to inform the reporter that his report will not be laid before Parliament, unless it is amended?—No, I do not, myself.

163. Mr. Adderley's practice was to strike the passages out, was it not?—Mr. Adderley struck the passages out with his own hand.

164. Not conceiving that it was for the public interest to permit the Inspector to go into controversial topics?—No.

165. Especially controversial topics inconsistent with the policy of the department?—Yes.

166. That was the main principle upon which the Minute of 1861 was passed?—Yes.

167. Of course where the topics handled were not inconsistent with the policy of the department, whose servants the Inspectors were, according to your account, the supervision was not so strict?—No; it appears not to have been.

168. You state that you know of one case in which Earl Granville himself had his attention drawn to the Inspector's report, Mr. Longueville Jones' of 1862-63; can you tell the Committee how you came to know the fact that his Lordship's attention was called to it?—I called his attention to it myself.

169. Why did you do so?—The tone of the report appeared to me to be a hostile one towards his department; to show an absolute animus against his department.

170. So much so, that you thought it your duty to go to the head of the department?—Yes, I did.

171. And Lord Granville directed the report to be returned?—I begged

R.R.W. Lingen, Esq.

16 June 1864.

Lord Granville that the Inspector might see that it was not with myself only that he had to do; I had reasons for that step, having had much trouble with him previously; I requested Earl Granville himself to make some memorandum regarding that report, which should call the Inspector's attention to the fact that he was dealing with the Lord President.

172. His report was suppressed for that year, was it not?—His report for that year was suppressed; he wrote a second report at a later period, which was also not printed.

173. Do you remember whether there was a motion upon the subject coming on before the House of Commons, immediately after the second report was sent in by Mr. Longueville Jones?—Yes, there was.

174. Do you recollect whether the Minute of 1861 was mentioned in the debate of 1863?—Yes, it was constantly mentioned in the debate of June.

175. I presume all the Inspectors were aware of the Minute of 1861?—It was communicated to every one, and is communicated from year to year in the instructions to report.

176. I presume the Inspectors, when they had their reports sent back, might either omit passages or vary them, or alter them, or modify their meaning by addition, or that they might, in short, take any steps which they thought necessary to make their report in conformity with the minute?—Yes.

177. There was no course prescribed in that matter?—No.

178. I think the noble Lord asked you whether there was an inducement given to the Inspectors to alter their reports; do you think it accurate to say, that the intimation that the report will not be printed is an inducement, is it not rather an intimation that the department, looking at the public service, consider that the right course for them to follow?—I think, myself, that any Inspector who was anxious to do his duty in the public service, would undoubtedly receive a good deal of personal pain at receiving his report back; but I most decidedly think, that every one of those gentlemen who had his report sent back, was quite sufficiently independent not to alter it, and to know perfectly well that he would not suffer for not altering it, if he thought better to retain it as it stood.

179. Lord *Robert Cecil.*] Inspectors, I suppose, would not like to have the trouble of writing reports of which nothing came?—They would have communicated, at any rate, their views to their own department; I imagine that much more notice has been attracted to those reports which have not been presented than to many that have.

180. In what way?—By this Committee.

181. You were asked if the inspectors might alter their reports by modifying or changing the words, as well as by leaving out passages; but at all events it was necessary for them, if they wished their reports to be printed, that they should alter the sense of them, was it not?—Of some parts of them.

182. The Minute of 1861 has never been laid before Parliament, has it?—No.

183. Do you mean by the answer which you gave to the Lord Advocate to say that Mr. Adderley excluded statements, or opinions, or arguments which contradicted the policy of his department?—I did not mean to say that he excluded them on the ground that they contradicted it, but that he excluded, generally, what he considered to come under the name of controversy; what he said in Parliament was this: "He was the first to restrain this practice" (that is the reports which went beyond all fair and proper limits). From time to time he sent back the reports in draft to the inspectors, pointing out the passages he objected to, and requesting them to alter their reports accordingly. He would always maintain that every department should exercise some control over the reports issued by it. The late debate seemed to him to involve a specific charge, that in certain reports passages were omitted which the department wished to be omitted, while other passages which accorded with their policy were retained." I think that the rest of his speech dwelt strongly upon the point, that the question was, whether the discretion had been rightly or wrongly exercised in taking the particular objections.

184. Mr. *Howard.*] I think you stated that Mr. Norris' report had been altered?—Mr. Norris' report was altered; some passage directly in favour of the revised code was removed from it.

185. How was that intimated to Mr. Norris?—It was intimated to Mr. Norris, I think, by a private note, but written with the sanction of the Vice President.

186. *Chairman.*] You were rather in doubt, were you not, whether there was not some other order than the order of 1862, with respect to marking the reports?—My impression is, that there was some other order written in red ink. I will inquire about it, and produce it if I can.

187. You referred in your evidence to a change of practice which had taken place as to sending down the Inspectors' particular reports to be altered. What was this change of practice?—The course was this, as I think I have already stated: Originally you will find in the earlier volumes submitted to Parliament that the reports upon particular schools are printed, together with the inspectors' annual reports. The reports upon particular schools were popularly called tabulated reports, because they were printed in a tabular form; they so very much swelled the volumes, that after a time they were not included in them, but printed separately for circulation in the inspectors' own districts. Then Mr. Adderley thought that the delay which occurred in the communication of them in print, being 12 months or more, was very prejudicial to the effect of them, and he directed that they should be communicated in manuscript as a part of the Committee of Council's own communication to the managers. He agreed with the Treasury that he would not continue the printing of them any longer than the printing covered its expenses; it did not cover its expenses, and about two years ago (I can supply the date hereafter) the Treasury absolutely refused to print them any longer. At present, therefore, they are communicated only in manuscript to the managers, and after that they lie on record in the Committee of Council's archives.

188. The change of practice which I refer to was as to sending down the summary as originally made by the Inspector, and also the decision of the Committee of Council as to grants?—I should explain that ever since 1847 the Committee of Council has made a grant annually to each school which fulfilled certain conditions, and they have always made certain communications to the managers at that time. Previously to Mr. Adderley's holding office, those observations of the Committee of Council were their own only; if an Inspector, for instance, had said "This is a very badly ventilated room," they might not have put down those *ipsissima verba*, but they might have said "The inspector complains of the ventilation." The letter purported to be a *précis*, as far as it was necessary to notice it, of the inspector's report; but after Mr. Adderley's holding office, the Inspector's report was made a part of the official communication.

Lunæ, 27° *die Junii*, 1864.

MEMBERS PRESENT:

The Lord Advocate.	Lord Hotham.
Lord Robert Cecil.	The Honourable Charles Howard.
Mr. Dodson.	Mr. Howes.
Sir Philip De Malpas Grey Egerton.	

EDWARD HOWES, Esq., IN THE CHAIR.

Ralph Robert Wheeler Lingen, Esq., again called in; and further Examined.

R. R. W. Lingen, Esq.

27 June 1864.

189. The *Lord Advocate.*] HAVE you, in consequence of the desire of the Committee, looked for, and brought with you, the reports of the Inspectors which they have desired to see?—Yes, I have brought with me the reports which have been withheld from Parliament, so far as we have them.

Vide App. (A.)

190. What are they?—A proof of Mr. Warburton's report for the year 1861. Mr. Watkins' manuscript of that year I do not possess; but I have a letter which states that it was destroyed by himself in 1862. Here are five reports for the year 1862, from Mr. Watkins, Mr. Matthew Arnold, two from Mr. Longueville Jones, and one from Mr. Moncreiff. I find also, for the year 1861-62, the following reports were returned to Inspectors under the Minute of 31st January 1861 for alteration, and were finally presented to Parliament.

191. Lord *Robert Cecil.*] Having been altered?—Having been altered under that Minute, namely, the reports of Mr. Moncreiff, Mr. Middleton, Mr. Matthew Arnold, Mr. Bowyer, Dr. Cumming, and Mr. Tinling. A letter was addressed to those gentlemen on Friday last to ask them if they possessed the manuscripts of those reports which were returned to them, and, if they did, to forward them to the Council Office. Four of them only have answered that letter, namely, Mr. Matthew Arnold, Mr. Bowyer, Dr. Cumming, and Mr. Tinling. Mr. Ruddock, I should state, is dead, and a letter was not addressed to his representatives. I will put in the answers of those gentlemen, who all say that they do not possess their manuscripts, and they believe them to have been destroyed.

Vide App. (B.)

192. The *Lord Advocate.*] How many does that leave unaccounted for?—That leaves unaccounted the reports by Mr. Moncrieff, Mr. Middleton, and Mr. Ruddock. With reference to Dr. Cumming's letter, which says that he does not possess the manuscript of his report, search having been made among the proofs which might remain anywhere in this Office, this proof of Dr. Cumming's report has been discovered. I will put that in also.

Vide App. (L.)

Vide App. (C.)

193. That is the report for 1861-62?—That is the report for 1861-62.

194. That does contain some red ink alterations?—That contains certain red ink alterations.

195. Were they made by you?—They were made by me. In the year 1862-63 the following reports were returned to Inspectors under the Minute of 31st January 1861, for alteration, and were afterwards printed and submitted to Parliament.

196. As altered?—As altered; namely, from Mr. Tinling, from Mr. Fussell, and from Mr. J. R. Morell. The clerk has found among the documents for press a proof of Mr. Tinling's report. The red ink mark, which is in that page, merely shows the passage which was omitted.

Vide App. (D.)

Vide App. (L).

197. Who is that red ink mark made by?—That is made by the clerk who reads for press, Mr. Tilleard. That completes the account which I am able to give of the reports to which the Minute of 31st January 1861 applies.

198. Some questions were asked you the other day about some communication from Mr. Watkins, which you said had drawn the attention of the vice-president to the question?—Yes. Perhaps I had better refer to my evidence. Question 22 refers to that, and in answer to Question 53, I read a letter from Mr.

Mr. Watkins; but that is not the letter which I should have read. The letter which I meant to refer to was a letter dated 8th February 1862. *R. R. W. Lingen, Esq.*

199. Lord *Robert Cecil.*] That was the letter upon which Mr. Lowe's rescript was written?—Yes. 27 June 1864.

200. The *Lord Advocate.*] Have you got that letter?—Yes. *Vide* App. (E.)

201. Lord *Robert Cecil.*] That is not the letter of the 21st of February?—The letter I read in error on the last occasion was a letter of the next year; the letter which I read on the last occasion was dated 21st February 1863.

202. Subsequent to the letter which you have just read?—Yes.

203. It was the year before; that was the mistake you made?—That was the mistake I made in Question 22.

204. The *Lord Advocate.*] In the meantime, the effect is this, that the letter of the 8th February 1862 was that which drew Mr. Lowe's attention to the inspectors' reports?—That was so. My error was that I thought Mr. Watkins had referred to a marking of a previous year; whereas he said, "I have looked to the marked passages, and I do not see what there is in them."

205. It was the fact of his saying that he had looked to the marked passages which made Mr. Lowe aware that there were marked passages to look at?—That is so.

206. Have you, since the last meeting of the Committee, looked through the various official documents relative to the tabulated special reports?—I have. *Vide* App. (F.)

207. Do they contain a statement of the Proceedings of the Committee of Council, from beginning to end, with regard to those reports?—They do.

208. Will you explain to the Committee generally, what the course of proceeding has been with regard to this matter, and what these documents are?—The first document is a summary which I drew up of the whole matter.

209. Just go through the heads, and explain to the Committee, one by one, what they are?—The first official document is an Order in Council, dated 10th August 1840; then the instructions to the Inspectors which are founded thereon.

210. What was the substance of the Order in Council, and the substance of the instructions to the Inspector as regards these special reports?—The instructions specify that the Inspector will have to make both general reports, and also reports upon individual schools.

211. These reports upon individual schools are the special reports which you referred to?—Those are special, or, as they are commonly called, tabulated reports.

212. Will you proceed with your list?—Then there is an extract from certain further instructions which were issued in 1842-43; that is an important document, because the distinction between special and general reports is very markedly drawn there.

213. Will you read to the Committee the passages which you think most material in that document?—This is an extract: "The reports of the Inspectors will be of two kinds; special and general." Then, there are certain details which are less relevant. This is an important part of the Memorandum: "The Inspector would transmit such remarks and recommendations suggested by his visit to each school in separate memoranda, as he might wish the Committee of Council to convey to the trustees or school committee for their information, and as suggestions for the improvement of the school. These memoranda having been submitted to the Lord President would, as far as they were approved, be communicated officially to the trustees or school committee by the Secretary." Then the Memorandum goes on: "Besides the special reports, each Inspector will, half yearly, present a general report, conveying to the committee such general views and reflections as may be suggested by his labours, and containing the classified results of his tour of inspection.

214. What is the date of that?—That is, 2d December 1843. It is in the Minutes of the Committee of Council of 1842-43, page 29.

215. There was a distinct intimation in those instructions that special reports were only to be transmitted by the manager, so far as approved of by the Lord President?—Those instructions are of importance in this way, that they appear to have been the groundwork upon which the tabulated reports gradually assumed their present form.

216. But is not the fact as I have stated it, that there is a special intimation

R. R. W. Lingen, Esq.

27 June 1864.

to the Inspectors that these special reports were only to be transmitted by the manager, so far as approved of by the Lord President?—Yes.

217. Will you proceed with your list?—This is a copy of Instructions to Inspectors, dated 17th January 1857, varying the mode of preparing the tabulated reports for press.

218. Is it the fact that between 1843 and 1857 the instructions you last referred to were in force?—The principle of them was in force; but between 1853 and 1857 the system of annual grants had been introduced, and that, as is specified in a subsequent document, which is filed here, made a very great change in the details of the duties which the Inspector had to undertake.

219. What document is that?—Instructions to Inspectors on appointment: but it does not come in order to mention it now.

220. What is the date of that?—That bears date according to the appointment of the Inspector to whom it is issued.

221. When were these instructions first issued?—They (instructions to Inspectors on appointment) have been issued in this form for eight or nine years, speaking generally. I cannot at this moment give the precise date when they were first issued.

222. The first modification of the instructions which you have now read you say took place when the annual grants began to be given, and that was about 1846?—Yes.

223. After 1846, were these special reports printed along with the other reports, and laid before Parliament?—They were.

224. Have you got any copy of that?—Yes; the last volume so printed is an unwieldy 8vo. of 1,400 pages.

225. When did that system of printing the special reports terminate?—It terminated in 1854-55. The tabulated reports were omitted from the annual volume of that year; the volume of 1853-54, had run to 1,400 pages; but although no longer submitted to Parliament, they were printed separately, and sent gratuitously to the schools for inspection in each district.

226. That also, I think, was subsequently altered?—Yes.

227. What was the next alteration that took place?—This plan continued up to the year ending 31st August 1857. The tabulated reports for the year ending August 1858 were not printed, but were sent in manuscript to the correspondents of each school under inspection.

228. Did the printing cease from that time?—In 1859, the printing was resumed, but for sale only. I have stated continuously this matter in one of these papers.

229. In the end, the Treasury rebelled against printing these tabulated reports any further, and the printing was given up?—That was so—in the year 1861. The correspondence between the Committee of Council and the Treasury in that year is filed with the documents I put in.

230. Are the reports made on a totally different footing from the special reports?—Yes.

231. *Chairman.*] You said that you would produce a copy of the instructions in 1858?—I have them with me. In Question 12, I was asked this: "Was that circular published or laid before Parliament in any way?" I said, "Certainly, some extracts from it were; at this moment, I am not certain whether the whole of it was laid before Parliament." On referring, I found that the instructions which were laid before Parliament were certain instructions, dated 22d May 1858, of Mr. Adderley, and that the instructions of 4th November 1858, which were the instructions I was thinking of, were not laid before Parliament, but have been constantly referred to in debates since. The instructions of November 1858 were to a certain extent a modification of those of the 22d May 1858.

232. The *Lord Advocate.*] Have you copies of both of them?—Yes; they are closely connected with debates in Parliament, reported in Hansard, volume 151, page 2278, and volume 152, page 695.

233. I am now going to the general reports. Have you a copy of the form prepared during Mr. Adderley's period of office, in which the reports were retransmitted to Inspectors when they were altered?—Yes, I have; it is an old marked one which happens to have remained in the office.

234. Will you be kind enough to read it to the Committee?—This is addressed to the Rev. H. W. Bellairs, dated 16th March 1859, and the same form

R. R. W. Lingen, Esq.

27 June 1864.

form would go to every Inspector to whom it was applicable: "Sir, if the enclosed report is not received back from you direct before Tuesday 22d instant, my Lords will consider that you have no corrections to make in it, and the press will proceed. No proof beyond a second will be furnished for correction. The portions of the report which are cancelled in pencil have been read by my Lords, but are not considered to come within the heads of the subjects which they have prescribed. I am to request that you will return the manuscript. I have the honour to be, &c. (signed by the Secretary)."

235. The latter portion "which is cancelled in pencil" is part of the printed form?—It is part of the printed form.

236. It was in point of fact the practice during Mr. Adderley's time to frequently strike out passages?—Yes.

237. Can you give the Committee any instance of that which has come under your cognisance?—Here is a report of Mr. Watkin's (*producing the same*) for the year 1858. *Vide* App. (G.)

238. Do you find that a variety of passages are there struck out?—Yes, various passages are cancelled in this report.

239. Are they cancelled in ink or in pencil?—In pencil.

240. Read the first one that you find?—The first that I find is this: "Whatever good results, either instructional or educational—either of progress in intellectual attainments, or of formation of character, may be observed in school children, must be attributed mainly to their teachers; anything, therefore, that affects the teacher's social position, his (or her) comfort, independence, and respectability, bears directly, and with great force, on the well-being and the well-doing of the school, and upon the general progress and prospects of national education."

241. The pencil is through that?—Yes.

242. Can you give the Committee any idea what was the inference which the Inspector intended to be drawn, or the reason why that should be struck out?—I do not think I can, with certainty.

243. Now, will you take the next one?—The next is: "It is hardly possible for the Inspectors of the district, owing to the suppression of the tabulated reports on each school, to obtain any accurate idea of its educational state, as a whole; he can merely judge of it by what he sees himself, as the reports of his colleagues are no longer in his hands; he must either, therefore, take a great deal for granted, and so possibly misinterpret some of its most important features, or he must endeavour to eke out his own deficiency by taking such scraps of information from his colleagues"—I should say here that "colleagues" must be taken to mean the Assistant Inspectors who were acting in the same district as the Inspector who was reporting—"as they, under similar disadvantageous circumstances, may be able to furnish to him. I have preferred the latter course."

244. That is a complaint against the suppression of the tabulated reports?—Yes, clearly so, I think.

245. And that had taken place shortly before?—Yes.

246. Now give me the next passage?—"By these means, as far as in my power (but with very scanty materials for so important an object), I hope to obviate to some extent the mischief caused by the suppression of the tabulated reports, and to bring all the schools which I have inspected under the healthy action of public opinion. Without some such effort the country at large, or the public in different localities, have no power of judging how the schools of the country, or of any particlar district are going on, whether improving or retrograding. There is no opportunity of learning which are the best and which the worst schools in a county; which the most laborious and intelligent teachers, or which are neglecting their duties, and incapable of performing them."

247. That is the same thing again?—That is the same thing again.

248. And the pencil is through that also?—The pencil is through that also.

249. Are there any more?—There are several more.

250. There is a very large portion of that report cut out?—There are two more passages, relating to the tabulated reports, which are struck out; and one relating to the diminution of the time allowed for reporting, which is struck out also.

251. You have not included the reports of Mr. Bellairs and Mr. Blandford for

R. R. W. Lingen, Esq.

27 June 1864.

for 1862, which you mentioned as having been sent back to the Inspectors —No.

252. They were also returned to them, I think, for alteration?—Yes.

253. But privately?—Privately.

254. They were altered?—Yes.

255. Have you got the cancelled passages there?—I have.

256. Will you be kind enough to hand them in?—At this moment there are various memoranda filed with these reports.

257. Will you just read a passage or two from each of them?—A passage which was omitted from Mr. Bellairs' report was this; he is speaking of the individual examination of children: "There are great difficulties in conducting it (individual examination) well, and there are evils which will result from it, unless carefully provided against. The Inspector's position will unquestionably, for some time at least, be a very difficult one. The grants in very many schools will be considerably reduced. Individual examination will bring out defects which have escaped inspection; and the faults of schools will frequently be laid to the Revised Code and its administration. In some instances, "packing" will, no doubt, be attempted. In others, the higher branches of study, *e.g.*, geography and history, will be excluded, in order to ensure a safe mediocrity which will ensure grants. In the first instance, when foreseeing some of these difficulties, and experiencing others, I felt inclined to despair at the prospect before us; but each month's trial seems to me to reduce some of the objections; and if the managers, and clergy, and teachers will give this Code as fair a trial as they did the Minutes of 1846, I cannot but hope that a similar successful result will ensue."

258. That was cancelled in the report?—That was cancelled in the report. Mr. Blandford has given a general review of the effects which had been produced by the Minutes in force previous to the Revised Code, and he concluded his report in these words: "The foregoing remarks apply more especially to great improvements discernible in the religious instruction given in the elementary schools of this district; and the same may be said with equal truth of the other subjects taught. And now let any one who was conversant with the state of these schools 20 years ago, compare their state then with what it is now; let him consider what has been effected in comparatively so short a space of time, and he will be compelled to acknowledge that these Minutes of 1846 were wisely framed, and did their work right well. But, it may be asked, if they produced such an effect, why make any alteration in them? To this it may be answered, that the time had arrived when some considerable modification of them, and of the system of which they formed a part, was imperatively needed. Twenty years ago, the public mind in regard to education was in a very different state from that in which it is now. Here and there some earnest men were at work as educators, but generally there was great apathy on the subject, and a very imperfect recognition, both among the clergy and laity, of the duty of exerting themselves to provide suitable elementary instruction for the labouring classes. Every step in the right direction was a laborious one; every one who earnestly set himself to work to improve the state of education in any particular locality required encouragement and assistance, and these your Lordships gave by making most liberal grants; some were of opinion they were too much so; but there can be little doubt that elementary schools would have exhibited nothing like the progress they have made had the assistance granted to them been less liberal." The rest bears upon the Revised Code: "Meanwhile a very different feeling with regard to education has sprung up. What once required fostering and encouragement does not now require such adventitious aid, at least to the same extent. It was time to make both managers and teachers of schools feel that for the future they must trust less to the Government and more to themselves. Complaints were made that the distribution of the public grants was partial, that those localities received the most who required it the least; the salaries of teachers were said to be too high, and that the present plan, from its very extension and success, could not be carried on any longer without some considerable alterations. I believe there was much truth in these and other allegations brought against the old system; and I hail with much satisfaction the recent modification of the Minutes of 1846, which so far from having been put on one side, like an old servant who

no longer can do any work, will have had new life and energy infused into them by the alterations and revisions under the New Code."

259. That passage was also omitted with the Inspector's consent, was it not?—He substituted another passage for it, which I have here in his own handwriting: "Improvement has not been confined to religious instruction; other subjects have shared in it; and if it were possible to put side by side schools as they were 18 years ago, and as they are at the present time, the progress which has been made would need no commentary. I have also to remark, that public feeling and opinion have gone along with this improvement, and are now often favourable, where before they were indifferent or hostile to education. I do not mean to state that so much good has been realised without attendant drawbacks. Your Lordships have retained in your revised code a great part of the old Minutes, but you have also introduced changes, for which I can see reason, in the facts around me, and on the results of which I shall have the honour to report to you in future years."

260. You brought both those reports before the Vice President because it occurred to you that they rather trenched upon the Rule of 1861?—Yes.

261. You had also brought before your notice Mr. Norris's report?—Yes.

262. Was it your opinion at the time that these reports ought to be suppressed?—I perhaps had better read my own memorandum on the subject. (*It was explained to the Committee by the Lord Advocate that the Witness had official permission to do so*). This was addressed to the Vice President.

263. To which of those reports did you particularly allude?—Mr. Bellairs', Mr. Blandford's, Mr. Middleton's in Scotland, and Mr. Mitchell's. "All these reports may be said to touch on policy and on the future. There is hardly one that does not, of all the rest. I should not stop these reports: but it is possible that parts of them may be compared with reports stopped. It is a question for the Vice President whether he will read the whole." I suppose I had some verbal instructions as to that memorandum; it is dated 1st May 1863.

264. Mr. Watkins' report is one of those that you stopped?—Yes.

265. Lord *Robert Cecil.*] May I ask what is the meaning of the words "read the whole"?—In this memorandum certain passages are noted for me by the reader for the press, "Mr. Lingen—Please to see passages so and-so, and so-and-so."

266. The *Lord Advocate.*] You stated the other day that there was this strict supervision with regard to reports which were not consistent with the policy of the department; did you make any distinction, with regard to the matter to be brought under the cognisance of the Vice President, between things which were favourable and things which were unfavourable?—I can state most positively that I never did.

267. You made no such difference?—No.

268. With regard to Mr. Watkins' report, were you of opinion that it should have been printed, as far as you formed an opinion?—Yes, I was.

269. So that, in fact, your opinion was, not that these reports which you called attention to should have been suppressed, but you rather thought that Mr. Watkins' should have been printed?—Yes; there exists a memorandum of mine to the Vice President on the subject, and his own decision upon it.

270. The Vice President took a different view of it?—He took a different view of it.

271. Mr. Norris's report was also returned to him, I think?—It was.

272. But he did not alter, except very partially, the passages which were thought to be objectionable?—I find, from this proof of it, which they have got in the office, that he altered one sentence at the end; but he did not alter the sense of it. To this extent, I desire to qualify my answers to Questions 45–8.

273. Excepting this instance with regard to this report of Mr. Norris, do you think that there was any material variation between the rule applied to the reports which were inconsistent with the policy of the department and those that were not; what do you say about that?—No; I think the rule was fairly applied, on the whole.

274. In the reports which were actually printed there were passages unfavourable as well as passages which were favourable to the policy of the department?—Yes, certainly.

 275. I believe

R. R. W. Lingen, Esq.

27 June 1864.

275. I believe you have gone through the reports with the view of forming your own opinion about that?—I have gone through two of the volumes—that of the year 1861-62, and that of the year 1862-63.

276. On the whole, your opinion is that the rule was fairly and impartially enforced?—I am clearly of opinion that, had I had to get a brief up against the Committee of Council instead of for it, I could have made a very strong case from the printed reports.

277. What is Mr. Tilleard's position in the office?—Mr. Tilleard (so far as the present inquiry is concerned) is simply a reader for the press. A very considerable amount of merely mechanical labour is involved in receiving the copy and the proofs and revises from these various Inspectors. His duty is to read the sheets, to page them, to see that they go properly into the printer's hands, and are received back from him; his whole duty in this matter is to be an intelligent reader. He had his attention called, by me, to the Minute of 31st January 1861; and in reading the sheets for press, which in any case he would have had to do, he was ordered by me to read them intelligently, and very sharply; he had no opinion of his own to pronounce about the matter at all.

278. With regard to Mr. Longueville Jones's report for 1862, I think you explained to the Committee the other day that you took it to the Lord President?—I did so.

279. And that he gave instructions about it himself?—He made a memorandum upon it in his own hand.

280. You looked upon that as a special case?—I did.

281. For the reasons which you have explained before?—Yes.

282. Lord *Robert Cecil.*] With respect to Dr. Cumming's report, I think you stated that these passages which you scored out were scored out by your own hand?—Yes.

283. Was the report printed with those passages omitted?—The passage at the end of the report was omitted; but if you will refer to the preceding page you will see that it is substantially contained there. The passage about the ladies' committee was altered only for this reason, that we had very great difficulty in the schools in Scotland to make them attend to sewing. The subject was spoken of, as it appeared to me, in rather jocular terms, by the Inspector, and it would have been very mischievous to circulate any report which gave such an impression in the district. I suggested that it would be better to treat it in a serious mode. The other paragraph, that at the end of the report, appeared to proceed upon a misapprehension; but you will find that it is substantially contained in the preceding page, where it is stated that Scotland requires a different treatment to England. The repetition of that passage is wholly struck out.

284. Did you ask his consent before that was struck out?—That proof came back from him with his own writing upon it.

285. Did he give his consent to the erasure of the passages which were scored out?—They were received back from him. I do not see that he gave any other consent than appears on those papers.

286. We have had some little examination upon the word "mutilated;" should you dispute that that report had been mutilated?—I should say that it had not been mutilated.

287. The order of Mr. Lowe, that no red-ink marks should be made upon the Inspectors' manuscript reports, was dated 14th February 1862?—Yes.

288. I see there is a red-ink mark made, as you say, by Mr. Tilleard on the proof of Mr. Tinling in 1863; do you imagine that that was a breach of that order?—Perhaps you will allow me to explain that the mark upon that paper is merely to show the passage that was omitted. That proof has never been in the Inspector's hands at all; that is one that we had in the office.

289. But who struck that passage out?—Mr. Tinling himself.

290. At your request?—Under the usual letter that was sent.

291. How did Mr. Tinling communicate to you that he intended to omit it?—By cancelling it.

292. How does it get into the revised proof?—Because that was printed from his original manuscript, and then a proof, I presume, was sent down to Mr. Tinling.

293. No mark was on the proof that was sent down to Mr. Tinling?—To the best of my belief, not.

294. But

294. But Mr. Tinling merely ascertained from the original tenor of the Minute that that sentence would be objected to?—Yes.

295. Will you be kind enough to read it?—"With regard to the school teachers, the withholding of the payment of any future augmentation grant has greatly loosened the hold which the country possessed over them for their continuance in the work of national education among the children of the poor, and this change in the prospects of the teacher has spread still deeper among the pupil teachers and candidates for apprenticeship."

296. Should you not say that that was hostile to the policy of the department?—Yes.

297. Should you be of opinion that the order forbidding red-ink marks being put upon Inspectors' manuscript reports extended to forbidding pencil marks?—Certainly.

298. I find upon Mr. Longueville Jones's manuscript report there are several pencil marks?—Yes.

299. Who were they put there by?—I think it is extremely likely that they were put there by myself, when I took that report to Lord Granville. I do not absolutely recollect the fact, but I think it is very likely they were.

300. And the report marked was sent to Mr. Longueville Jones?—It went down in that state to Mr. Longueville Jones.

301. That was done in the year 1863?—It was.

302. Consequently that was, although not done by Mr. Tilleard, a breach of Mr. Lowe's rescript?—It was, to that extent.

303. And it would justify any statement, if such a statement were made, that marks had been placed on Inspectors' reports subsequent to the year 1862?—It would justify that statement.

304. And if a contrary statement was made, that no marks had been placed on Inspectors' reports since the year 1862, such a statement would be, so far, inaccurate?—It would.

305. Some of the passages which you marked in Mr. Longueville Jones's report, I suppose you will admit were antagonistic to the policy of the department?—Yes.

306. For instance, there is the following passage marked by you: "The schoolmistress at Conway is the best infant teacher in my district, admirably suited for her duties in every respect, and deserving of the greater credit because she is not certificated, although she is aided by pupil-teachers." I presume that was marked because you thought it was a reflection upon the certificate system?—I marked it because I thought it was put in with an *animus* by that particular Inspector.

307. With a desire on the part of the Inspector to express an opinion adverse to the certificate system?—My impression was, that it was put there from a desire to embarrass the department under which he was acting.

308. You have stated, in answer to the Lord Advocate, that Mr. Norris' report, to which I called your attention the other day, was the only instance which you remember in which statements favourable to the policy of the department had been admitted, and that you believed that a very fair balance had been held between the two opinions, namely, those which were hostile, and those which were favourable to the department; I want to know if you have studied with that view the new report which has just come out, and whether your answer will apply to that?—I have not studied to the same degree the volume for the present year with reference to that question, but every report which has been received from an Inspector this year has been printed just as it came.

309. I presume the Minute of February was still in force?—No alteration whatever has been made in the 1863-64 reports.

310. The Vice President stated in Parliament, did he not, that that was because, in his belief, the reports had become conformable to the Minute of 1861?—He stated something to that effect.

311. I would ask you, as you have read extracts from former reports, to listen to this extract from Mr. Brodie's report for 1863, and tell me if you think this has no bearing on the policy of the department: "My vote, if on that question I were called on to vote, would most freely be given in favour of the present system; for I most fully believe, however logical may be the argument which demands that public grants for education should be apportioned to

R. R. W. Lingen, Esq.

27 June 1864.

all schools alike according to the results attained in them, that this question is not one of logic only but of fact, and that there is no fact more entirely ascertained than that the schools under certificated teachers, with pupil-teachers under them, are immeasurably superior to schools without these advantages; and last, that an established system, proved to be good, though not perfect, and to produce superior results, ought not to be lightly modified and superseded because one or two schools, not provided with certificated teachers and pupil teachers more happily situated, under unusual auspices here and there, also produce results more than ordinarily good and beyond the fruit-bearing nature and capacity of such schools usually to produce; or, to capitalise this argument, that a system generally good and satisfactory ought not to be discarded in favour of exceptions." Do you not think that that passage was intended for the purpose of supporting the policy of the Privy Council against Mr. Walter's motion?—I do not think I can answer for the writer's intention in that matter; no doubt it could be used for that purpose.

312. Do you not think that that is the direct tendency of the passage?—It is a passage plainly available for a debate such as that which was raised on Mr. Walter's motion.

313. Do you not think that that is a passage highly favourable for the policy of the department?—I do.

314. I will only read one passage more, and ask your opinion upon that: "Those which have abandoned all connection with the Committee of Council, and relapsed into a barbarous state, have generally that horror of the Inspector which some dirty people entertain of fresh water. As, however, it is this class of schools, and schools probably in the main of a very similar type, which, if some politicians have their way, will forthwith rush as hungry claimants in the general scramble, to seize their share of the public money, it will not be unseasonable for me, nor beyond my duty, to state very briefly what are some of the characteristics and circumstances of these schools, and the kind, and average amount of instruction to be gained by the scholars who attend them." Do you not think that is a passage highly favourable to the policy of the department?—No doubt it is; I may say, with regard to the whole of that report, that I sent the Inspector a private note, to this effect, that I hoped he was very sure of all the facts he was stating, as such strong language was likely to call attention.

315. If this was a statement of the matter favourable to the educational views entertained by the Committee of Council, to admit, I presume, with that report before you, that you cannot state that that assertion is incorrect?—I never should have thought of denying that matter, favourable to the Committee of Council, was admitted into the reports.

316. And with this report of Mr. Longueville Jones before you, I presume you would hardly state that matter adverse to the educational views entertained by the Committee of Council is excluded?—That was not the reason why I took Mr. Longueville Jones's report to the Lord President.

317. What I wish to ask you about, is the construction placed by the Committee of Council upon this Minute of 1861. You have given us a great deal of information upon it, but there is one piece of information which I am surprised you did not give, and that was the letter of instructions which was written by yourself in August last year upon the subject; do you remember that letter of instructions?—It is upon this file; I understand you to mean the instructions calling for the general report of 1863-64.

318. Yes; it was issued on the 31st August 1863, was it not?—Yes.

319. Will you read the third paragraph of that report?—"By the term 'state of schools under your inspection,' you will understand schools brought within the circle of your official experience; and by the term 'practical suggestions for their improvement,' you will understand suggestions consistent with the principles of Minutes sanctioned by Parliament."

320. Then the result of that comment upon the Minute of 1861 is, that the practical suggestions which the Inspectors are to be permitted to offer are never to be inconsistent with the principles of Minutes which have been already adopted?—"Sanctioned by Parliament" are the words.

321. What Minutes are there "sanctioned by Parliament"?—Every Minute is laid before Parliament, and forms the basis of the next Estimate which is voted for carrying on the whole of this system. I could find a passage in a speech

speech of Sir George Grey, in moving one of the Estimates of former years, wherein he represented that to be the Parliamentary sanction of the system in force.

322. There is no Minute, in fact, which exists which has not been sanctioned by Parliament?—As soon as it is laid before Parliament, and an Estimate voted upon it, or under the Revised Code, as soon as it has been laid one month before Parliament.

323. In point of fact, the Inspectors are forbidden by the letter of instructions to offer any suggestions inconsistent with the principle of any existing Minutes, because all Minutes are sanctioned by Parliament?—"The principle of Minutes," it says.

324. The Inspectors are forbidden to offer any suggestions inconsistent with the principle of any existing Minutes?—Yes.

325. Then, I presume, you would not deny that statements and opinions adverse to the educational views entertained by the Committee of Council are excluded by that letter of instructions?—You will observe that in this circular the principle of the Minutes sanctioned by Parliament is confined to practical suggestions. It does not apply to "the schools brought within the circle of your official experience."

326. It would apply to anything in the nature of an opinion?—It would apply to anything in the nature of an opinion or speculation.

327. Any kind of an opinion, or statement of an opinion?—It is very difficult to draw the line between what is fact and what is argument; but the meaning of those instructions is, that they are free to report as to facts. As to practical suggestions, they are to be limited by those principles which have been sanctioned by Parliament. I may state that this circular is not my own invention merely, but was very fully considered by the heads of the department to whom I am responsible, and the terms of it were settled after great deliberation.

328. Are you prepared to contend that this letter of instructions is not an exclusion of an opinion adverse to the educational views entertained by the Committee of Council?—An exclusion of opinions as opinions, undoubtedly.

329. You stated, in answer to the Lord Advocate, that several reports were sent back altered because they contained an approval of the Revised Code?—Not in the volume of 1863-64.

330. Will you be good enough to read the last paragraph of page 41 in the volume for 1862-63?—That must be, surely, 1863-64. My answer to the Lord Advocate was confined to those years in which reports had been returned to Inspectors, which has not been the case in this volume for 1863-64.

331. Then you admit that, with reference to 1863-64, an opinion had never been allowed to be introduced favourable to the Committee of Council?—What I meant was this, that the discussion of the Revised Code before it was in operation was inevitably a matter of opinion, but that in 1863-64 the Inspectors are writing from a certain amount of experience under the Revised Code.

332. Do you mean to say that those passages which are in favour of a Revised Code were not based upon experience?—They could not have been based upon experience under the Code itself, because it was not then in operation.

333. The *Lord Advocate.*] When did the Revised Code come into operation?—It came into partial operation on the 31st August 1862, and into general operation after the 31st August 1863.

334. Lord *Robert Cecil.*] You would then, as I understand, exclude all speculations with regard to the future, and you would exclude all reference to existing Minutes, because they were inconsistent with the principles of Minutes sanctioned by Parliament?—The distinction that I think should be drawn is this, that there should be full liberty to report as to facts, but an opinion merely as an opinion and speculation is excluded.

335. Or the statement of opinions existing in the district?—I think in one of his speeches Mr. Lowe stated that that could not be admitted, because it was an indirect way of saying almost anything whatever.

336. Then all statements of opinion whether as to the future or as to the past, existing in the district are excluded by the Committee of Council from the reports?—I should not state it so generally as that, but I should say that whatever the Inspector might not state in his own name, he is precluded, more or less, from stating through others.

 337. "When

R. R. W. Lingen, Esq.

27 June 1864.

337. "When this change, however modified in detail, is fairly and fully at work, those who have felt themselves most aggrieved by its introduction, will be the first to experience the beneficial effects of a system which by payment for results, stimulates, measures, and rewards the sound progress of elementary education;" is that a statement of any fact or merely an opinion?—The latter part of it at any rate is in the present tense.

338. I ask you whether that is the statement of a fact or an opinion?—The latter part of it is, surely, a statement of fact.

339. Is the statement that "those who have felt themselves most aggrieved will be the first to experience the beneficial effects of the system," a statement of fact or of opinion?—"Will," of course, must be the statement of an opinion.

340. Then it is the statement of an opinion favourable to the educational views of the Committee of Council?—It is an opinion closely connected with a statement of fact.

341. But it is a statement of opinion favourable to the educational views of the Committee of Council?—There is an opinion in that statement, undoubtedly.

342. And it is favourable to the views of the Committee of Council?—It is favourable to the views of the Committee of Council.

343. The *Lord Advocate.*] You purposely, I think, did not go through last year's reports with that view?—No, I have not been through them with that view.

344. You thought it was rather too near the period of controversy?—I did.

345. Do you know generally that there have been observations admitted in last year's reports, printed and presented to Parliament, adverse to the views of the Committee of Council, as well as favourable?—I have not gone carefully over the volume with that special view, but I have not the least doubt that I could find such passages if I did.

346. They were, in point of fact, printed as they were written, in all cases?—I believe, in every single case.

347. You were asked whether it is not true that passages unfavourable were rejected, and passages favourable were admitted in 1862; but is it not also true with reference to Mr. Bellair's and Mr. Blandford's reports, that passages which were favourable were rejected, and that passages which were unfavourable were admitted?—There are many passages in the report presented to Parliament, both in 1862 and 1863, which might be used with effect against the policy of the Committee of Council.

348. As to Mr. Longueville Jones, did you put those marks upon his report with the view of showing him what was objected to?—No, I did not.

349. Did you do so with the view of instructing Lord Granville?—I did so with the view of instructing Lord Granville. I do not distinctly remember putting those pencil marks, but I have no doubt I did. The error lay in not not rubbing them out before I sent them down to Mr. Longueville Jones.

350. When they had served their purpose?—Exactly.

351. You said you did not take that to Lord Granville because it contained an opinion hostile to the Revised Code, and because you thought the statement made was intended to harass the department?—Yes, I did.

352. And you had reason to think so?—I did.

353. Was that the first time that you had occasion to complain of Mr. Longueville Jones?—Not by a great many.

354. In short ,you thought the report was not drawn up *bonâ fide*?—I did not.

355. Mr. Longueville Jones, I think, did send you a second report?—He did.

356. And a letter along with it?—Yes.

357. Have you got that letter?—It is at the office; I have not got it here.

358. Was not the substance of it that he desired to act in conformity with the wishes of the department?—It was.

359. *Chairman.*] Can you inform the Committee what is the tenure of office of the Inspectors?—They are appointed by Order of the Queen in Council, and therefore the removal of an Inspector requires also an Order in Council; but that is a purely formal act; for all practical purposes, they hold office at the pleasure of the Committee of Council for the time being.

360. Lord *Robert Cecil.*] Those reports from which any matter was omitted were always printed as complete, and without any marks indicating that an omission had been made?—They were.

361. *Chairman.*]

351. *Chairman.*] I think you have stated that in January 1861 the practice was still to mark the objectionable passages?—Yes.

362. That practice was stopped by Mr. Lowe's letter of the 14th February 1862?—Yes.

363. Under the practice of the department, would that letter, signed by the private secretary of the Vice President, be considered conclusive?—Quite so.

364. Until varied by some subsequent Vice President?—Quite so.

365. Although under the authority of the Vice President alone?—Although under his authority alone.

366. The authority of the Vice President is defined by the Order of Council, dated 25th February 1856, is it not?—Yes; as follows: "That for the future the establishment, to be called the Educational Department, be placed under the Lord President of the Council, assisted by a member of the Privy Council, who shall be the Vice President of the Committee of the said Privy Council on Education, and shall act under the direction of the Lord President, and shall act for him in his absence."

The Rev. *Frederick Watkins*, called in; and Examined.

367. *Chairman.*] YOU are an Inspector of Schools under the Committee of Privy Council?—I am.

368. When were you first appointed?—17th April 1844; I have held the appointment above 20 years.

369. You have acted continuously since then?—Yes.

370. Lord *Robert Cecil.*] Your report, I think, has been suppressed twice?—Yes.

371. On the first occasion you received it back with marks upon it?—I did.

372. Upon the second occasion you did not?—I did not.

373. *Chairman.*] Your first report has been destroyed, has it not?—Yes.

374. Lord *Robert Cecil.*] Can you state the character of the passages which were marked in the first report, or the grounds upon which it was destroyed?—I can.

375. What were they?—They all had reference to the New Code.

376. They were condemnatory of the New Code?—Yes.

377. And you received the report back with those passages marked, with an intimation that unless you removed them the report would be suppressed?—That was the letter, and the passages were marked.

378. With an intimation that you were to alter the passages marked?—Yes, that they were objected to.

379. You declined to alter them?—Yes; I altered one.

380. Was that one which was condemnatory of the New Code?—No.

381. Have you any idea upon what ground that was refused?—I can hardly say, except on account of a passage which there is at the end; there can be nothing else in it. I took the greatest possible care in drawing it up. I think the concluding passage is the only one which could possibly be objected to.

382. Will you read that?—"I know well that much remains to be done, &c.

383. You are under the impression that the Committee of Council thought that passage unfavourable to their views, and therefore required you to exclude it?—I can form no other opinion.

384. You state that you took a great deal of care in drawing that report up?—I did.

385. That is, you took a great deal of care to keep from it all opinions adverse to the policy of the Committee of Council?—I did.

386. That was the effect of their having sent back a report in the previous year?—Yes.

387. The result was that if you entertained any opinions unfavourable to their policy you did not express them?—I did not.

388. And so your report was much against your will, an unfaithful transcript of the opinions which existed in your own mind?—I cannot say that quite.

Rev. *F. Watkins.*

27 June 1864.

389. But still it was an imperfect transcript?—It was not a full account of all that I had seen and all that I had heard, but it was a faithful one.

390. It was faithful, so far as it went; but you were obliged to omit opinions, and also things that you had heard and seen, because you felt that your report would be suppressed unless you did so?—Yes.

391. To that extent therefore your report would not, had it been published, have given to Parliament and to the country the amount of information which it would have been in your power to give them if you had been more at liberty?—I think, hardly.

392. I believe you have a report in this new volume?—Yes, I have.

393. I presume that report has been written with equal care?—It has.

394. Any opinions on any fact, or information which you may have obtained adverse to the policy of the Committee of Council, which you might think would lead to a suppression of your report, you have thought it your duty to omit?—No, I cannot say that. Since the Revised Code has been the law, I have been acting under it; and, taking it as law, have accepted it.

395. But you would still have drawn it up as carefully as you did the report of the previous year, if any facts had come under your notice which, in your opinion, would have led to a suppression of it?—No such facts did come under my notice. I cannot say what might have been the case if such a thing had happened.

396. You mean to say that your opinion has ceased to be unfavourable to the Revised Code?—No; I mean that the thing has now got into a formal shape, and is working more or less favourably, and the same kind of thing did not occur.

397. Can you give me an instance of the kind of opinion which was suppressed in the first report?—There were such things as the almost universal expression of doubt and difficulty that would be caused by the New Code, and the changes that were contemplated in different localities owing to its adoption; and things of that kind; and a falling off in pupil teachers and certificated masters, both in the number and the quality of the teachers.

398. In fact, they were in the nature of actual facts, as well as statements of your own personal opinion?—They were either my own opinions or statements made to me by managers and teachers of schools.

399. Were the statements made by them of facts, or merely of their opinions?—Chiefly of opinions; because facts could hardly be adduced then; there was hardly experience enough of facts then.

400. They were statements by other people, and opinions of your own?—Yes.

401. Were they not statements of opinion of this kind, that pupil teachers would be dismissed, and schools would be unable to be maintained, and so forth?—Those were amongst them.

402. Were there any other statements that you can remember at this moment?—I cannot remember them well at all.

403. No others occur to your recollection at present?—No; they were so many at the time, that I do not know what was actually in the report; but, I very likely might state some things that were mentioned to me, that I had not noticed in that report; that is the reason I should not like to answer that question; I cannot particularise now what I did mention in my report, and what I did not.

404. I suppose you would think that the tendency of the system which the Council must pursue in respect of the Inspector's Report generally, would be to induce them to suppress all statements and opinions adverse to the policy of the Committee of Council?—You are speaking of three years ago.

405. Yes?—I certainly think it had that effect.

406. The Lord *Advocate.*] You say the only thing in that last report which you can think of was the last sentence?—Yes.

407. In which you alluded to some people who were threatening hostility to pull up the system?—I did not say the system; "the tree," I think, was the metaphor.

408. What did you mean exactly by that?—I thought they were overturning a system which was working very well.

409. That the Committee of Council were?—The authors whoever they were of the Revised Code.

410. Do you mean to tell the Committee that you thought your report would not faithfully reflect your opinions without that stigma upon them?—I do not mean to say anything of the kind.

411. If you had put that sentence out of your report, would it not have been as available for the public service as with it?—Possibly.

412. You have been asked some questions about opinions and facts; can you tell me any one instance in which the statement of a fact has been objected to, because it was favourable or adverse to a particular view?—Do you mean in my own reports?

413. Yes?—I cannot remember that report; I wish I had not destroyed it; I cannot sufficiently remember what the particular statements were, which were contained in that report to give a fair answer.

414. In any report has there been any intimation from the Council that you were restricted as to the facts that you were to report?—There has been no intimation of that kind.

415. Upon what do you ground the statement that the policy of the Council prevents you from reporting facts which are unfavourable to the Revised Code?—Because some of these, were no doubt facts.

416. Some of which?—Some of the opinions stated in that first report.

417. I want you to distinguish?—A fact may be also an opinion.

418. An opinion may be based upon a fact, but a fact is a fact independently of opinion, unless you intend to exercise the opinions of others?—I have not the least doubt whatever that they did state to me facts.

419. But you cannot recollect any instance of it?—I cannot particularize them, because there were so many things stated at the time.

420. Do you mean to say there have been facts which are material in your report, which it is suggested you should suppress?—I was not told I was to suppress them. Still, as I have stated, those passages were marked.

421. Give me a fact which you have stated, which you think was objected to?—There were 11 or 12 passages marked.

422. That is, in the report of 1861?—Yes; I cannot recollect what they were now.

423. Do you think that a report of an Inspector is a proper vehicle for controversial opinions with the office under which he is acting?—There was no controversy at all.

424. I ask you whether you think that the report of an inspector is a proper vehicle for controversy with the office under which he is to act?—Certainly not.

425. Do you think it right and reasonable to express your opposition before the Revised Code could come into operation, and to indulge in speculations as to its probable effect?—Do you mean in a report?

426. In a report?—I do not know that I had a right to do that.

427. Should you have thought it right to do so?—I do not know that I should.

428. I think you have been a long time in that department?—I have been in the department above 20 years.

429. Therefore you have had great experience in it?—Yes.

430. You recollect, during Mr. Adderley's time, that there must have been considerable liberties taken with the reports?—I am not aware of any liberties.

431. Were there not any?—I am not aware of them. I do not know to wha you allude.

432. I mean that Mr. Adderley put his pencil through passages of reports without much scruple?—I am not aware of it. He restricted the length of the reports.

433. Do you not remember one of your own reports coming back in the year 1858 or 1859 with a good many passages struck out of it?—I do not remember that.

434. I dare say it has gone out of your recollection, but let me try to refresh it. I will show you the passages; there are two; and there are a good many more (*referring to one of the reports which had been handed in*)?—But I am not at all aware about these pencil marks. Were these published in my repor or not.

 435. I rather

Rev. *F. Watkins.*
27 June 1864.

435. I rather think those passages were omitted in the printed report?—I do not know, nor do I know who made these pencil marks.

436. You have no recollection of receiving reports from the office at that time with the pencil marks?—I do not remember anything about this report, and I really can tell nothing about it now.

437. What was the date of the first report which had marks appended to it?—It was the report for the year 1861.

438. And it would have been published during the course of the Session of 1862?—It would have been published in February 1862.

439. That was the time during which the Revised Code was under discussion in the House of Commons?—I think it was.

440. So that, if your statements and your opinions, and your information as to the facts which had been communicated to you, had been published, it is reasonable to suppose that Members of the House of Commons would have taken them into consideration in forming the opinion which they were required to form upon these matters?—Possibly it would have been laid before the House.

441. They would have had an opportunity of doing so?—Yes.

The Rev. *H. Longueville Jones*, called in; and Examined.

Rev. *H. L. Jones.*

442. *Chairman.*] YOU are one of the Inspectors of Her Majesty's schools?—Yes, I am.

443. When were you appointed?—I was appointed in 1848; but I did not begin to act until the spring of 1849.

Vide Appendix.

444. Will you produce your report of 1862?—Yes.

Martis, 28° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. John George Dodson.
Sir Philip De Malpas Grey Egerton, Bart.
Lord Hotham.
The Honourable Charles Howard.
Mr. Edward Howes.
The Lord Advocate.
Lord Robert Cecil.

EDWARD HOWES, Esq., IN THE CHAIR.

Ralph Robert Wheeler Lingen, Esq., called in; and further Examined.

R. R. W. Lingen, Esq.

28 June 1864.

445. *Chairman.*] HAVE you any documents which would show, generally, the powers of the Committee of Council on Education as to their officers, and whether the Inspectors are included amongst those officers?—The powers of the Committee of Council over its officers, generally, are the same as in any other branch of the Civil Service; the only difference as to the Inspectors is this: that in the case of the Church of England, Inspectors are appointed with the consent of the Archbishops; and in the case of other religious bodies, with the consent of certain representative authorities; in the case of the Church of England, with this further exception, that they are removable on the application of the Archbishops; but with these exceptions, the authority of the Committee of Council is the same over the Inspectors, and has always been so exercised, as over any other officer in their Lordships' employment.

446. You say that they are appointed; by whom are the Inspectors appointed?—By the Queen in Council, on the representation of the Lords of the Committee of Council on Education.

447. We have had laid before us Minutes which, from time to time, have been made by the Committee of Council; how far has the Committee the power to regulate the proceedings of the office without submitting them to Parliament?—Exactly the same power as a Secretary of State within his own department.

448. And of varying the functions of the Inspectors as its officers?—So far as the functions of the Inspectors are regulated at all by any Minute that has been submitted to Parliament, they could only be varied, I apprehend, in the same manner by a Minute submitted to Parliament; but in all executive and administrative functions, Inspectors are on the same footing as any other public servants.

449. Mr. *Howard.*] The Minute of 1861 has not been submitted to Parliament, has it?—Not formally, as a Minute; it has been repeatedly referred to in debates and quoted, but it has never formally been laid upon the Table of the House as a Minute.

450. *Chairman.*] That Minute certainly varied the previous instructions which had been given to the Inspectors, did it not?—It purports not to do so; the recital of it is: "Having considered the previous instructions we find the sum of them to be," &c.; it is a declaratory Minute.

451. You would consider that Minute of 1861 as an interpretation, or the interpretation given by the office to the previous instructions given to the Inspectors?—Yes.

452. And not as varying those instructions?—No.

453. Mr. *Dodson.*] Is there any document that defines the powers of the Committee of Council, and distinguishes between what they may not do without a Parliamentary

R. R. W. Lingen, Esq.

28 June 1864.

a Parliamentary sanction, and what they may do without such sanction?—At this moment, to the best of my belief, there is no document that defines those two classes of cases.

454. Then it rests very much in the discretion of the Committee of Council on Education, when they propose to make any change, whether they will do it without coming to Parliament for its sanction, or whether they will lay the changes they propose before the House of Commons, for its sanction?—I think that there are these two limitations. First, if the change involve an expenditure of public money, that would have to appear in the Estimates that are sent to the Treasury, and would appear in the Estimates when submitted to Parliament. Secondly, if the change involved any particulars included in Minutes already submitted to Parliament, such a change would, undoubtedly, call immediate attention down in the country, if the Committee of Council were to attempt to make the change without a new Minute.

455. You think that they are not compelled to come to Parliament for the sanction of any change unless it be one that directly or indirectly involves expenditure?—I should add much more than that—if it involved any great change of principle, or if it involved any great change in Minutes previously submitted to Parliament.

456. You say that that is what you conceive to be the powers of the Committee of Council. In what documents are those powers in any way defined?—The earliest Order in Council upon the subject was on the 10th April 1839, that is the Order which named the first Committee of Council, and the words are these, "to superintend the application of any sums voted by Parliament for the purpose of promoting public Education." That is the root out of which all the rest has grown.

457. Then have those powers of the Committee of Council been enlarged or curtailed by any subsequent Orders in Council?—There was an Order in Council, dated the 3d of June 1839; an Order in Council, dated the 10th of August 1840; and an Order in Council, dated the 25th of February 1856; but, generally speaking, all the proceedings of the Committee of Council, and the definition of their policy, has been done by Minutes laid before Parliament from time to time; as they have extended, or as they have varied their operations, they have embodied those facts in Minutes, and laid them from time to time before Parliament, and upon those Minutes the annual Vote for Education has been voted by Parliament.

458. Mr. *Howard.*] When the Inspectors were first appointed were any directions published for their guidance?—Yes; those which I referred to in my evidence on the first day, in August 1840.

459. Were they submitted to Parliament?—Yes.

460. Lord *Hotham.*] I think you referred yesterday to the Minute of 1861, which was not laid before Parliament?—That is the Minute which has been all along in question, the Minute of the 31st of January 1861.

461. How was it that it was not laid before Parliament?—I stated, in answer to the Chairman, that that Minute purports to be a declaratory one: "We have examined the instructions previously issued to the Inspectors for the preparation of their reports, and we find the sum of them to be" so-and-so.

462. You do not consider that that Minute contained anything rendering it necessary to lay it before Parliament under the limitation to which you have alluded?—No.

463. Mr. *Dodson.*] The original instructions which were issued to the Inspectors were, as I understand, submitted to Parliament?—Yes.

464. From this declaratory Minute of 1861, it appears that the original instructions have been subsequently varied or added to by instructions issued from time to time?—Yes.

465. Were those instructions so referred to as having been issued from time to time submitted to Parliament in the same manner as the original instructions had been?—Not always in the same manner as the original instructions, but they have been moved for in Parliament from time to time; there was one return moved for by Mr. Henley, in 1851, in which all the instructions issued to Inspectors up to that date were included. It is numbered 103, Session 1851.

There

There is also a paper numbered 464, in the Session of 1858, in which Mr. Adderley, the then Vice-President, laid before Parliament, on the motion of Mr. Cowper, certain instructions which had been issued to Inspectors, both before his own time and during his own time, for reporting.

466. Had the instructions issued up to the time of issuing this declaratory Minute in 1861, been either submitted to Parliament for its sanction, or at all events, submitted to the inspection of Parliament after they had been issued? —The material instructions had been; but there has been an infinite variety of circulars upon all sorts of details for reporting, especially with regard to reports on individual schools, which have varied, from time to time, with reference to the nature of the grants.

467. The Committee of Council seem to have considered that they had power to issue instructions, or to make bye-laws as to matters of detail; if it were a matter involving a change of principle, or involving expenditure, it was submitted to Parliament; or any change proposed was submitted to Parliament, either for its previous sanction, or for its confirmation afterwards?—Yes; that is the nearest statement that I could make of the practice.

468. Lord *Robert Cecil.*] The letter of instructions of last August has not been submitted to Parliament?—No.

469. The *Lord Advocate.*] The Minute of 1861 was a restriction of the practice, not an extension of it, as regarded the supervision of the reports?—It purports in terms to be a declaratory Minute.

470. Of the instructions; but I say of the practice. The practice before that, in Mr. Adderley's time, had been to expunge passages without any communication with the Inspector?—No, not without communication with the Inspector; the Inspector always saw the passages expunged.

471. Before the report was printed?—Yes; or before it was finally through the press.

472. The Minute of 1861 did away with that practice, and directed the entire suppression of reports, if they were not altered?—No; the Minute of 1861 merely says, that if the reports do not conform to the instructions, they shall not be presented to Parliament; it is silent as to the mode of producing conformity with the instructions.

473. Lord *Robert Cecil.*] There had never been, had there, previously to August 1863, any declaration from the Committee of Council, in words, desiring the Inspectors not to express opinions contrary to the principles of the Minutes that had been sanctioned by Parliament?—No, I think not; there had been instructions of this nature, requesting them to confine themselves to their experience, and not to enter into speculations or general discussions.

474. But the order that their suggestions should be consistent with the principles of the Minutes sanctioned by Parliament, was, for the first time, given to the Inspectors in August 1863, and no intimation that it was so given, or was to be so given, has ever been made to Parliament?—I do not think that it could be stated in quite so unqualified a manner as that—because, in the debates which have taken place, the question has been very fully examined as to what should be done about the Inspectors' reports, and in those debates it has been intimated that they are not to be arguments against their own department. I have not at present with me the extracts which I made from those debates, but I made many extracts. Mr. Adderley, I think the Committee will find, concurred in that principle.

475. Did he lay down that the Inspectors were not to be permitted to make suggestions inconsistent with the principles of the Minutes?—He did not use those words, and I should prefer not to give any opinion as to what he stated, except to read his words. I think I could find extracts that go to that length.

476. At all events there was never either a Minute or a Letter of Instructions laid before Parliament, or even a Minute which forbade the Inspectors from offering suggestions inconsistent with the principles of the Minutes?—I do not recollect any.

Mr. *James Tilleard*, called in; and Examined.

Mr. *J. Tilleard.*

28 June 1864.

477. *Chairman.*] WHAT office do you hold in the Educational Department of the Committee of Council on Education?—I am a clerk in the Educational Department.

478. How long have you been conversant with the practice of the office?—I have been in the service of the department altogether 17 years; but during nearly six years of that time I was a master at Kneller Hall Training College, in connection with the Committee of Council.

479. After that establishment was broken up you returned, I believe, to the Council Office?—Yes.

480. In what year did that take place?—It took place in the month of November 1855.

481. Lord *Robert Cecil.*] It was your duty, was it not, to look over the reports which the Inspectors sent in, prior to their being sent to the press?—Yes.

482. And also it was your duty to note anything which, in your belief, was contrary to the provisions of the Minute of January 1861?—Yes.

483. Will you state to the Committee in what way you indicated the passages which you thought were open to that objection?—For some time by red ink or red crayon marks, in the margin; without any observations whatever.

484. Then at what date did you discontinue the practice?—The date of the order of the Vice-President for its discontinuance was the 14th of February 1862.

485. Have you never applied any marks since that time?—Certainly not.

486. Have you done so to the revises that were sent to the press; have you made red-ink marks on them?—I have not; my former answer comprehends both the proofs and the manuscripts.

487. Do you mean to say that you never made a mark on a revise that was to be sent to the press, in the year 1863?—I do not say that.

488. The red-ink mark indicating the passages to be left out?—In the year 1863?

489. Yes?—Not that I am aware of; not for the Inspectors; the question relates to the Inspectors. If it is for the printer, I say decidedly that I made many marks and corrections of the press, merely for the printer; if it is for the Inspectors, I say decidedly not.

490. You never sent back any report that had been so marked to the printer, and afterwards to the Inspector?—I must request that the question may be put to me a little more precisely. I have never marked anything for the Inspectors; I always referred those things to Mr. Lingen.

491. How did you indicate the passages afterwards to which you objected?—Generally by a separate memorandum.

492. And when not by a separate memorandum, in what way?—By word of mouth, or by the finger; by taking the report bodily to the Secretary, and pointing with the finger to any particular passage to which I wished to call attention.

493. Do you mean to the Inspector?—Certainly not; to the Secretary, Mr. Lingen.

494. Have you never made any communications to the Inspectors on the subject of the passages to which you objected?—Never.

495. Will you state to the Committee what interpretation you attached to the Minute of January 1861; and what species of observations were, in your opinion, excluded under its operation?—I understood that all kinds of general discussion were prohibited by that Minute; that is my answer in a few words. I can of course state more explicitly, if it is wished, what my own interpretation put upon the Minute was.

496. Be good enough to do so?—By general discussion I understood arguments, apart from the specific work of the Inspector; but remarks which could not be detached from the Inspector's report upon his own district, I did not consider

consider to come under that head. That is the interpretation I placed for my own guidance upon the Minute.

497. An argument pointing, for instance, to any subject pending before Parliament you would have considered a matter to be excluded?—I cannot say "Yes" to that question, for I adopted no such principle.

498. You say that you would have excluded all arguments?—I said that, if the argument was detached from the basis of facts derived from the Inspector's own district, and was in the form of a general disquisition, then I considered it to come within the terms of the Minute, and drew attention to it accordingly; but I certainly did not lay down to myself the principle that, if a matter was before Parliament, an argument pointing to it would not come into the report. The idea never occurred to me.

499. If the argument rested upon any facts which the Inspector had observed, you would have considered it admissible?—As a rule, certainly; but I might, nevertheless, have drawn attention to it.

500. During the time that you were in the habit of using the red marks, would you or would you not have marked with red ink an argument arising out of facts which the Inspector had observed?—I should not have marked it, but I should have mentioned it; I should have considered that a case upon which I was in no way competent to come to any decision. I should not have marked it, because the mark was generally placed in a very clear case, about which I had no doubt that it came in as a general discussion, and that it went beyond the Minute.

501. An argument with respect to a general measure, arising out of the facts observed by the Inspector, would not, in your opinion, have been a sufficiently clear case for exclusion and to have allowed you to mark it?—What am I to understand by "marking" it? The marking is a mere mode of calling attention, which might have been done, or which might have been omitted. So far as I am aware, there was no definite meaning attached to the marking. If any great importance is to be attached to it, it is necessary for me to understand it.

502. Would you have called attention to a passage in which an argument upon a general measure was inserted, arising out of facts within the Inspector's own experience?—I believe that I should have called attention to that.

503. The *Lord Advocate.*] You mean the attention of the Secretary?—Yes; I mean it to be understood invariably, that I called Mr. Lingen's attention, and the attention of nobody else, and this was by marking in the margin, by pointing out with the finger, or by mere oral mention; there was no significance attached to the marks.

504. Lord *Robert Cecil.*] They were comparatively of no importance?—They had no importance, so far as I was concerned, beyond their power of drawing the eye of the Secretary to the passages; the passages might have been incorrectly marked by me, in some instances, but, of course, my desire would be not to mark any passage from which it was likely that the mark would be obliterated; and I think that, generally, the mark was placed against passages which were obviously, to my mind, beyond the Minute.

505. Was your mark ever overruled?—I must again say that the mark had no significance.

506. Was your objection to a passage, or your mark, ever overruled?—Frequently. I might put a mark, or mention a passage, and Mr. Lingen might immediately countermand, and say "print."

507. In the later period, after you had given up marking, did you still continue to point the attention of the Secretary to such passages as seemed, in your judgment, to contravene the Minute?—Yes.

508. Did you continue to do so down to the latest period?—Yes.

509. Up to the publication of this report?—Yes.

510. I understand, that upon the publication of this report, no passages were expunged?—None under the Minute, certainly.

511. Were many passages pointed to by you in this report?—In what sense am I to understand the word "many"?

512. I will say "any"?—Certainly.

 513. I suppose

Mr. *J. Tilleard.*

28 June 1864.

513. I suppose that in the standard which you applied to passages to be excluded, your practice did not differ with respect to the report of 1863-64 from what it had been in respect to the previous reports?—It did not differ in any respect; I made no alteration.

514. If the Committee of Council excluded passages in one case to which you had called their attention and not in another, the difference of practice, if such there was, did not lie with you?—Certainly not.

515. Do you remember a report of Mr. Longueville Jones that was sent down by Lord Granville, with some observations upon it, in the year 1862?—Perfectly.

516. There were some remarks upon that report; do you remember them?—Yes, distinctly.

517. And pencil marks?—Yes.

518. They were not affixed by you?—No.

519. By whom were they affixed?—I do not know.

520. You never expressed any opinion upon that subject?—I cannot have done so; because I did not know who it was.

521. You never expressed any opinion that Lord Granville had affixed those marks?—I never expressed any opinion that any particular person had affixed those marks.

522. Have you no knowledge upon the subject, yourself?—I have the obvious facts before me, that the marks were not placed there by me, and that the report afterwards contained marks; that is the extent of my knowledge.

523. No one ever told you as to who put the marks there?—Certainly not.

524. Are you certain that you never informed the Inspector himself, that those marks were put there by the head of the office?—I am quite certain that I did nothing of the sort.

525. Did you recommend the Inspector to exclude the passages?—I do not remember making any recommendation to him to exclude the passages.

526. Had you any conversation with him on the subject?—I had a conversation with him in the Council Office upon the subject, but it was of a private nature, not official. I hope it may be understood by the Committee, that any conversation that passed between me and Mr. Longueville Jones was purely of a private nature, and had not the slightest approach to an official character.

527. *Chairman.*] I assume that you had no official authority in connection with the matter?—I had no official authority.

528. Used you to have communications with the Inspectors as to the reports which you revised?—None; there was no exception.

John R. Morell, Esq., called in; and Examined.

J. R. Morell, Esq.

529. *Chairman.*] YOU are one of the Inspectors of schools?—I have been.

530. When were you first appointed?—In the month of March, 1857.

531. When did you cease to be Inspector?—In March 1864 of this year.

532. Lord *Robert Cecil.*] Will you give to the Committee your own account of a certain case, and a report which you addressed to the Council on Education, on the subject of a school at Coventry, in which certain alterations were made. You addressed a report, I believe, to the Council, on the subject of St. Mary's School, at Coventry, which report was not sent down entire to the school?—I did so.

533. The following, I believe, was your report: "The premises and fittings are good; but an infants' schoolroom would be a great improvement. The discipline is good, and the instruction, though not very forward, is accurate and appropriate as far as it goes, and as advanced as can be expected, considering how recently the present teachers have been in charge." Did you send in that report to the Committee of Council on Education?—That was the report that I sent in on the day-school.

534. Objection was taken to a portion of that report, was there not?—There was.

535. What

535. What were the words to which objection was taken?—The words that were objected to were, "though not very forward," and "and appropriate," also "and as advanced as can be expected, considering how recently the present teachers have been in charge."

536. On what ground do you imagine that those words were objected to?—The only grounds that I can imagine, were, that they seemed to justify the giving of the grants to the school which the authorities in the Council Office (I allude particularly to the secretary) wished to withhold; and in the first instance, did withhold altogether.

537. On what ground did the authorities at the Council Office desire to withhold those grants, or what was their objection to the state of the school?—The children were placed in the first and second standards by the teachers and the manager, for examination.

538. There was no objection, was there, under the Revised Code, to their being so placed?—I am not aware of any.

539. But there was an objection in certain supplementary rules that were issued after the Session of 1863?—There were some instructions and circulars issued subsequently, directing that we should be careful to see whether the children were displaced from their usual order; for instance, if the higher classes were put down into the lowest standard; and although we were allowed to examine if such was the case, we were told to report the fact to the Council Office; and unless we could explain it in a satisfactory manner, the inference was that the grants would be reduced; that was before the issuing of the supplementary rules.

540. The supplementary rules went further than that, did they not?—Yes; the supplementary rules reduced the grant by, I think, one-tenth, unless the children were in the fourth standard.

541. If they were not in the second standard, it reduced them altogether?—Yes, even if they were not in the third standard.

542. The tendency of your report was to exonerate the school from not having complied with those supplementary rules?—Entirely so, because it was a newly opened school, and the teachers had not been long in charge of the children; they were of the roughest description, ignorant of the first elements of discipline and instruction, and when they were first taken in, many of them were, perhaps, 12 or 13 years of age.

543. In your judgment, there was good reason why that school should not have been able to comply with the supplementary rules?—Yes, there was a particular reason, and that I introduced both into the report upon the day-school and also upon the night-school, as justifying the giving of the grants, in my opinion, in that case.

544. But the Committee of Council not being convinced by your reason, took the course of sending down, or they wished to send down, your report to the school so altered as to give the school manager the impression that you had never advanced that reason at all?—I infer that to have been the case, because the supplementary report on the night-school, in which I stated all these particulars, appears, from the statement of the manager to me, not to have been sent at all: and that portion of the report on the day-school which lays stress on its having been recently opened was barred through by the secretary's wish, with his signature attached.

545. Therefore, the impression which would have been conveyed if the letter had been sent to the school manager would have been that you had made a report wholly different in essence from that which you had actually made?—Yes, entirely, I should imagine.

546. Because your report would have been condemnatory and without exculpation; whereas it was, in fact, condemnatory with complete exculpation?—The report, with the part of the night-school report suppressed, and the portion to which I have referred struck out, would have appeared to coincide with the judgment of the secretary, that all grants were to be withheld.

547. Whereas it was directly opposed to that?—My wish was, in this exceptional case, that the reasons should be apparent why the grants should not be withheld.

J. R. Morell, Esq.

28 June 1864.

548. So that the representation given to the school manager of your opinion, or that would have been given if that letter had been sent, would have been directly false?—It appears to me so.

549. The report, with those words so cancelled, were sent down to you to obtain your consent?—The writing in the margin in the handwriting of Mr. Lingen, with his signature, states so. I have the original document here with the writing upon it (*handing in the same*).

550. These are the remarks of the secretary: "This report is in accordance neither with your instructions nor with the Revised Code. Do you prefer that I lay it before the Committee of Council, or are you satisfied to adopt it as shortened." Those were the words which the secretary put in the margin?—Yes, they were.

551. Did you understand those words as implying a very distinct censure in case you refused to adopt your report as shortened?—Decidedly so; and it placed me in a most painful state of mind, and I have not yet been able to understand how they could have been written.

552. You felt that they were a menace?—At the least.

553. What course did you take; did you consent to expunge the words from your report?—I suffered one of the most painful trials of mind that I ever endured; I could not consent to what I considered would be a sanctioning of untruth, and yet I felt quite doubtful, if I did not follow the wishes of the secretary, as to what might be the consequences; I, therefore, took time to deliberate; I consulted friends, and I came to the conclusion which is to be seen expressed in my remarks annexed leaving the matter in the hands of the secretary, and implying that I was so new to the Revised Code as not to know how it was to be worked in connexion with newly opened schools.

554. You left the matter to him?—Yes; I threw the burden and the responsibility of what I considered the unfair curtailment of the report into his hands; I laid them on his shoulders.

555. You felt that you could not do it with your own hand, as it would have been an utter perversion of your own opinion?—I felt that it would have been a dishonourable act to sanction it in so many words.

556. Whatever the cause, after you had made that return to the secretary, the report was never sent?—The report on the day-school, with those passages barred out to which I have referred, was never sent. I have obtained a copy of what was sent from the manager of the school; but the supplementary report on the night-school, with further remarks on the day-school, was not sent.

557. Did the supplementary remarks on the night-school contain that same exculpation, which Mr. Lingen desired to erase from the report on the day-school?—Yes, and much more fully; I have it here. The remarks are as follow: "Both in the day, and also in the night-school of this institution, the girls were presented mostly in low standards, because the arithmetic was backward, owing to the neglect of that branch previous to the appointment of the present teachers. I examined a large proportion of the day and night scholars in reading books suited to the third and fourth standards, and many of them wrote passages from dictation accurately, and, in some cases, elegantly. I announced to the manager, previous to the examination, their Lordships' instructions about not putting down the classes in too low standards, and I was informed that the girls had mostly been classed in the first standard on account of deficiencies in arithmetic, to which I have referred. In conclusion, I beg to state that both departments are full of promise, and conducted by an efficient staff of Sisters of Mercy." That was the supplementary report withheld.

558. The other report which Mr. Lingen had desired to curtail, he ultimately did not curtail?—From his own statement he did not. I find, from a copy that the manager sent me, that it was sent in without those passages being left out.

559. You have stated that when you received that marginal note from Mr. Lingen, you looked upon it, as, at least, a menace, but that, in spite of that, you did not adopt the report as shortened, but threw upon Mr. Lingen the responsibility of having shortened it?—Yes.

566-67. It does not fall within your experience that the masters and managers have, generally speaking, any idea that the Inspectors' reports, which come down to them are altered in the Council Office, and do not represent the original report of the Inspector?—I cannot say that that has been my experience, that they have that impression.

568. They believe those reports to be the original reports of the Inspector?—In my own experience I have certainly always found that to be so.

569. As in this case, they have held you to be responsible, not only for the expressions used about themselves, but for the comparative estimate which you may have formed of other schools?—Most decidedly.

570. Supposing the report to which reference has been made had been sent down to St. Mary's, Coventry, the manager of that school would have believed it to have expressed, without any exculpatory circumstances, a condemnatory opinion upon which the Council Office acted in refusing the grant?—Yes; and more than that, I have a letter to show that the manager at the Coventry school complains, when he afterwards finds out that I had (he was not present throughout the examination himself) examined the children in reading and writing by the higher standards, but in arithmetic by the lower standards, that he never heard of that before, because that part of the report was withheld which stated it. I allude to the supplementary report on the night school, and the further remarks on the day school.

571. The result of the practice is not only to deceive the masters and the managers as to the real nature of the Inspector's reports, but also to place the Inspector in a false position?—Yes, it appears to me to be so to the last degree.

572. *Chairman.*] You say that the report is generally sent down to the school; but is it not a summary rather of the report that is sent down to the manager?—The word "summary" is printed at the head of that portion of the form; but according to my early experience of inspection, that "summary" was rather understood to be a "summary" of the Inspector's own observations, and in his own words upon the whole institution, and it appears ultimately to have become a "summary," according to the wish of the office, of those parts of the Inspector's statement that were preferred to be sent down.

573. You mean that the original report of the Inspector was reduced into a "summary," and so sent down, after it was reduced into the form of a "summary" in the office?—It appears to me so.

574. Lord *Robert Cecil.*] A selection of a statement in a document, on one side only is not your idea of a "summary," or, in other words, a "summary" would not fairly express to the minds of the managers the fact that a certain portion of a report tending in one direction had been retained, and another part of the report, tending in another direction, had been omitted?—Certainly not; the word "summary," I suppose, means that the substance or the most essential parts of a report were fairly given; and, taken as an illustration of the Coventry case, I think that in withholding the supplementary report, you could not describe what was sent down to the manager, as a "summary," because it withheld the weightiest part of the statement which I had made upon the school.

Matthew Arnold, Esq., called in; and Examined.

575. *Chairman.*] YOU are one of Her Majesty's Inspectors of Schools?—Yes.

576. When were you appointed?—In 1851.

577. Lord *Robert Cecil.*] Did you make some reports which were suppressed?—Yes.

578. I believe they are not in existence in the Manuscript Office?—One is in existence, I believe, but not the other.

579. The earlier one is not in existence?—No.

580. That was sent in, I believe, during the time when marks were affixed by the censor?—Yes.

 581. I believe

M. Arnold, Esq.

28 June 1864.

581. I believe you received it marked?—Yes; with a Minute by Mr. Lingen upon it, addressed to the Vice President, giving reasons why he thought it should not appear.

582. Do you remember the character of that Minute?—It was that that part of my report bore upon certain matters which had appeared upon an inquiry recently made in France, as to the condition of schools for the poor in that country. Mr. Lingen said that I had already had a report upon French education printed at the public expense, and that all this was new matter on the same subject. That was generally the purport of what Mr. Lingen wrote, that I had already had a report on Education in France printed at the public expense; and he put it to the Vice-President whether this should be printed.

583. Were any parts of the report marked, besides those which bore upon this subject?—I think not; the rest of it was very short indeed, and about technical matters; it was about teaching grammar in the English schools.

584. Was another report of yours rejected?—The next report was rejected altogether.

585. Upon what grounds, do you know?—No; it was sent to me last year merely with a Minute, saying that it did not conform to the instructions, and requesting me to alter it; I sent it back, saying that I did not see in what way it did not conform to the instructions, but if it were pointed out to me that in any way it did not conform to the instructions, I would alter it. I heard no more of it; it was suppressed.

586. Do you know what could have been objected to in it?—I could only conjecture, of course; I saw that it was chiefly on a very practical matter, in connection with our practice of inspecting; the habit of inspecting with previous notice, which I thought was, in many ways, very inconvenient, and which is never done abroad. After pointing out the inconveniences of this practice, and the fault which all foreign Inspectors found with it, I had said that these inconveniences were now inevitable, because, under the Revised Code, the amount of the grants paid depended upon the number of children collected for examination, and therefore we must give the managers notice; that this, which I thought a bad mode of inspection, was now inevitable, and that the managers, therefore, must now themselves see to certain things which inspection without notice might have provided for.

587. Therefore it was an eminently practical suggestion?—I thought so.

588. It was incidentally hostile to the Revised Code?—So far.

589. I suppose that the fact of the existence of that Minute, and the construction put upon it, would influence you in writing reports, so that you would avoid any matters that would bring you into collision with it?—I cannot say that it would; I have no very great desire for my reports to be printed, and it did not make much difference to me. I think, that in writing my reports, my chief thought is how they may be useful to the schools which I inspect; and I write them mainly with a view to that; of course, within the limits of my instructions.

590. I suppose that the Minute would have generally the effect upon the Inspectors' reports of excluding a certain amount of matter that might otherwise be introduced?—I think it might; I think it is quite conceivable that an Inspector may care a good deal about having his report printed.

591. Some Inspectors may not be in a position so assured as yours is, and might not wish to come into collision with the office?—I do not know that my position is assured, but it is conceivable that some Inspectors might shrink from saying anything distasteful to the office.

592. Have you ever had reports sent to you which you have altered and sent back, or have you always refused to alter them?—I have never altered them, I think. I have had back my reports, with a few verbal remarks, and questions about punctuation, and sometimes words suggested; but those were mere corrections of the press. I have never made any real alteration, I think, and I have only had those two really objected to. But as to the first of these two reports, I must say this; my own impression was, that the objection taken to what I had said about France, which was perfectly of a practical character, was because generally it went against the policy of the Revised Code which was then

then being discussed. To give one instance out of several, as to the suffering state of the reading, writing, and arithmetic; these branches had been found in France to be suffering, and the mode of concentrating the attention of the Inspectors upon reading, writing, and arithmetic, which was what the Revised Code proposed, was found not the best way of mending them.

593. If that matter had appeared in the report, it would have appeared when the Revised Code was under consideration in Parliament?—Yes: I had been sent abroad to report on the French system, and I had got to know many persons in the French Department of Public Instruction; one of them sent me over this information; it reached me when I was writing my report, and as it bore upon matters that were being discussed here at the time about instruction, and the relations of schools to Government and to local bodies, I thought it was extremely interesting. I did not, I must add, put it at all in a controversial form.

594. Have you had any of your special reports sent down to individual schools altered?—I think not; not that I have observed, certainly; I should know whether they were altered. I send in my report to the Council Office, and they send down to the manager their summary of it, or professing to be my exact words, and unless I read it in its printed state at the end of the year, and compared it with a copy, I should not know whether it was altered or not.

595. They do not send it back to you before they alter it?—No, I do not know that they alter it; they do not send it back to me; but I have never had any reason to think that they alter it.

596. At all events, the summaries, such as they are, altered or not, are regarded by the managers and schoolmasters as yours?—Yes. I think that the Committee of Council sometimes add an observation of their own at the end; but that purports to be from "their Lordships."

597. You would be held responsible for what is contained in the summary by the managers?—Quite so.

598. *Chairman.*] Of course, it is only your impression that the managers imagine the summary of the report to contain your very words?—I think that it says "Her Majesty's Inspector reports" so and so, but I really do not remember the exact expression.

599. Have you a copy of the form in which the summary of the report is sent to the managers?—No, I have not; that does not concern me; the moment I make my report it is out of my hands.

600. You are not aware that the simple words of the form are, "Summary of the Report of the Inspector"?—No, I am not; I shall see it now, because now the managers are required to enter our report in the log-book; we are required to refer to it from this year forward.

601. Mr. *Howard.*] However important and interesting the report of an Inspector might be, do you not think it would be desirable and convenient sometimes that the Committee of Council should have some control over it?—Quite so; and I have always thought that they must have a censorship over it, only that it should be clearly understood on what matter the censure turns.

602. Lord *Robert Cecil.*] Whether the matter was irrelevant, for example?—Yes, or too long, or nonsense. I think that they may exclude what is too long, or what is irrelevant, or what is nonsense; they are, of course, answerable for their judgment in these two last cases, but I think they have a right to exclude what is calculated, coming from an officer of the department, to damage the department by its absurdity. But I do not think that the ground which Mr. Lowe took up last year, that the department had a right to exclude anything which was at variance with the policy of the department at that time, was consistent with the instructions under which we were appointed.

603. Should you prefer that they should exercise that power themselves, or leave it to the discretion of the Inspectors?—I should much prefer that they should exercise that power themselves, but after communicating with the Inspectors. I think that if the Lord President saw the Inspectors about the matters that were to be left out, it would be better.

M. Arnold, Esq.

28 June 1864.

604. *Chairman.*] As an Inspector, should you not consider it necessary, when the report was printed, after being altered, that it should be shown to have been altered, or, in other words, I presume you would not wish a report to appear as your own when it had been altered or curtailed in the Office?—If the ground of objection had been one of the things to which I have referred (irrelevancy, nonsense, or over length), I do not think I should have any right to complain; if it be a matter of fair opinion, which is struck out, I think the Inspector has at once a right to insist upon some statement that there has been an omission; but the other is merely that amount of judgment which the heads of the department must pass upon you if you expose them to blame or contempt by writing at unreasonable length, or foolishly.

Lunæ, 4° *die Julii*, 1864.

MEMBERS PRESENT.

Mr. John George Dodson.	The Honourable Charles Howard.
Sir Philip de Malpas Grey Egerton.	Mr. Edward Howes.
Lord Hotham.	The Lord Advocate.
	Lord Robert Cecil.

EDWARD HOWES, Esq., IN THE CHAIR.

Ralph Robert Wheeler Lingen, Esq., called in; and further Examined.

R. R. W. Lingen, Esq. — 4 July 1864.

605. The *Lord Advocate.*] I AM informed that you are anxious to give an explanation on the subject of one of your answers relative to Mr. Tinling's Report?—Yes; it will be found in my evidence, beginning with Question 288, and the following questions.

606. Just give to the Committee any explanations you wish to give upon that subject?—The explanation which I wish to give to the Committee refers to questions from 288 to 296 inclusive. It will be seen from my evidence, in answer to to Questions 191 and 196, that I wrote to Mr. Tinling in common with the other Inspectors whose reports had been returned to them, but were presented to Parliament, and that he answered, in common with the rest, that he had not got his manuscripts. I added, however, that we had found in the office a proof of his report as originally written.

607. A proof?—Yes; and I brought it down with me last Monday from the office, containing the passage which finally was not printed in his report; I brought it to show the Committee; it was marked in red ink, but it was not the proof that had been in the Inspector's hands. The official letter that was received from him, when he sent back his altered report in 1863, was dated 11th of March, and was to this effect, "Sir, I have erased the only passage which appears to me to have a more general character than is suggested in the letter forwarded to me on the 9th instant," *i. e.*, the usual letter that was sent on returning a report to an Inspector, and calling his attention to the Minute. When I gave my evidence last Monday, I had referred to Mr. Tinling's letter of 11th March 1863, and I was certainly not aware that I had had any other communication with him upon the subject; but when I came to read my evidence in print, and more especially when I received from him the subsequent letters, which I now put in, transmitting the duplicate proof, marked by himself, which had originally accompanied his letter of 11th March 1863, and having been returned to him with the revise for press had remained in his hands, it occurred to me that I might have had some private communication with him. I mentioned the circumstance to Lord Granville, and also to the Lord Advocate. I was not aware then that Mr. Tinling had been summoned before the Committee; but he came to me on Saturday, and I asked him then the question whether I had had any private communication with him, and he said that when he had received his report back with the usual letter, he had sent me a private note to ask, "What is it that is amiss," or words to that effect; and then that I had written to him, "If you strike these half dozen lines out, I think it will pass muster." I was unconscious of that when, on a former occasion, while under examination, I said, "Yes" to Question 294, and I hope the Committee will allow me to give this explanation. I have no copy of Mr. Tinling's private note to myself, and he tells me that he has none of my reply.

Vide Appendix L.

R. R. W. Lingen, Esq.

4 July 1864.

608. Lord *Robert Cecil.*] Those half-dozen lines were strongly hostile, were they not, to the Revised Code?—I do not think they were more so than many others that remained in the Report. I may mention that they were upon the subject of the augmentation of the schoolmasters, and the Committee of Council having a hold upon them. This is the identical proof that Mr. Tinling sent back:—

[*The same was handed in, as follows:*]

GENERAL REPORT for the Year 1862, by Her Majesty's Inspector, the Rev. *E. D. Tinling*, on the CHURCH OF ENGLAND SCHOOLS, inspected in the Counties of *Cornwall, Devon, Dorset*, and *Somerset*.

My Lords, Bath, 1863.

THE past year has been one of much anxiety to school managers and school teachers. School managers throughout my district have been timid as to the plans which would be permanently adopted by Parliament, and during this period of doubt, they have in many instances refrained from any increased outlay upon their schools so as to secure themselves in time against any extent of loss which a change in the system of Government payments might eventually bring upon them.

These fears and doubts on the part of school managers have, in certain cases, tended to lessen the efficiency of the schools, and to make the present crisis one of the greatest difficulty.

Dele. E. D. Tinling, H. M I.

~~With regard to the school teachers, the withholding of the payment of any future augmentation grants has greatly loosened the hold which the country possessed over them for their continuance in the work of national education amongst the children of the poor, and this change in the future prospects of the teachers has spread still deeper amongst the pupil teachers and candidates for apprenticeship~~. Many of the pupil teachers have shown themselves unwilling to complete their apprenticeship, whilst, for the first time, since the Minutes of 1847 have been in operation, it has become a matter of very great difficulty to obtain fit candidates for apprenticeship.

[*This Report is printed in extenso, from a proof remaining in the office, as Appendix D, pages* 27—34, *suprà. The first two paragraphs are repeated here, to explain the receipt, from Mr. Tinling, of the original proof, marked by himself.*]

609. In the first place, I would ask you a question with respect to Mr. Longueville Jones's report. I think you stated that you believed you had marked those passages in pencil yourself. Have you, since that time, been able to arrive at any greater certainty as to whether it was so done by you or by Lord Granville?—I believe that I marked them, but I have had no opportunity of obtaining any greater certainty upon that point. My belief is, that I stood by the table while Lord Granville was reading the report; and, as far as I can call the circumstances back to my recollection, with a pencil in my hand, and, while he read the report, I marked the passages I wanted him to notice.

610. You marked them, I presume, to indicate that the practice showed disloyalty on the part of the Inspector towards the department?—I thought them written with an animus against the department.

611. You thought that the statement made was intended to harass the department: (Question 351)?—Yes.

612. What I wish to know is, why you think this passage, for instance, was intended to harass the department—"The schoolmistress at Conway is the best infant teacher in my district, admirably suited for her duties in every respect, and deserving of the greater credit because she is not certificated, although she is aided by pupil teachers." How can you imagine that that was intended to harass the department?—It was not the only passage in the report that I had marked.

613. I presume that, as you marked that passage, you thought it was intended to harass the department?—Taken with the rest, it appeared to me to be a certain case picked out at rather a critical time of the discussion to show this—here is the best teacher of a particular class in my district who is not certificated.

614. You looked upon a statement of fact as a thing intended to harass the department, because it was made at a critical time of the discussion?—Taking one single teacher in that way, it did not seem to me to be a legitimate foundation for the inference which at that particular time would naturally be drawn from it.

615. The

615. The sting of the passage lay in its being offered at a critical time, when the particular policy to which it referred was under the consideration of Parliament?—I should like to answer that question, under two considerations. Its referring to a single teacher seemed to me to lend it a certain character of unfairness, and that unfairness was aggravated by the particular time at which it appeared.

616. It was a statement of fact?—It purported to be a statement of fact, and that the fact was so, I have every reason to believe.

617. Therefore, it was your opinion that the Inspector who stated that inconvenient fact at an inconvenient time, showed an inclination to harass the department?—Yes; if he stated it in an unfair way, and with an unfair context, which formed part of the considerations that weighed with me.

618. What grounds had you for thinking that the context was unfair?—From the general tone of the Report; I should also say from the manner in which former reports had been written by Mr. Longueville Jones.

619. I presume you marked them in order to draw Lord Granville's attention to them, and in order that some kind of censure or punishment might be inflicted upon the Inspector?—The chief reason that I took them straight to Lord Granville was, that this Inspector, who perpetually addressed the Secretary, or some other officer by name, as if individually responsible for everything done from the office, might see that he had Lord Granville to deal with; I had had, in many instances before that, a sort of personal altercation fixed upon me in the mere discharge of my executive duty, and I wished the Inspector, therefore, to see that Lord Granville, himself, was the person with whom he had to deal. I did it quite as much out of fairness to him, as to save myself from any trouble. I wished him to see that I had gone to Lord Granville.

620. Do you remember the case of a school at Cockburnspath, in Scotland, as to which a complaint was made of the character of a schoolmaster, and in which an Inspector was sent down to examine into that complaint?—Yes; that was under the 19th section of the Schoolmasters' Act.

621. Do you also remember, after the Report of that Inspector had passed through the office, and had been sent down to the managers of the school, that complaints were made that that report had not been sent down entire?—The Inspector, himself, wrote to the office saying that his report had not been sent down entire.

622. As a matter of fact, it has been curtailed?—Yes.

623. A material matter had been taken out of it, had it not, which bore strongly upon the character of the schoolmaster?—I wish to put in this explanation, if the Committee please: Under the 19th section of the Schoolmasters' Act, in Scotland, certain functions are attributed to the Inspectors, and when that section first began to be put into operation, some instructions were issued under the order of the Vice President, defining, exactly, what the Inspector was to do in those cases; that he was to make a report upon the school in exactly the same way as a report upon any other school under his inspection; but that any decision upon that report, *i.e.*, anything in the nature of a judgment upon it, was to be left to the body that was constituted by the Act, being, I believe, the heritors. This particular report of Dr. Woodford's was sent down to the managers, leaving out a certain portion of it, so far as I remember the case now, in a form upon which my signature is printed; the examiner had cut out from the report what he considered to be the exercise of a judicial function on the part of the Inspector; a letter came from the Inspector, with enclosures from the managers, inquiring about this, and it was referred to me; I called for the papers, and looked over them, and I said, "Certainly, this part of the report should have been communicated." I sent a copy of the remainder of it down to the managers, and I informed the Inspector. I made a memorandum upon the papers: "If you purport to communicate an Inspector's words, you must not alter them, without giving him an opportunity of seeing them."

624. So that any mutilation of that report which took place was made, not by your orders, but by the act of a subordinate?—It took place under those instructions, which had been issued to the Inspectors, and the officer through whose hands those papers passed took that view of the Inspector's report under the instructions; but I beg leave to state that, whether right or wrong in his view, he was acting strictly within his duty. It was within his own discretion to

R. R. W. Lingen, Esq.

4 July 1864.

dispose of the case, or to refer to it. If he felt no doubt about the matter, he was right in disposing of it.

625. As to any curtailment of a special report, not made under that Act of Parliament, but an ordinary special report of an Inspector, had those subordinate officers the power of assistant secretaries to curtail them?—The rule laid down for the guidance of the office is this: that the examiners, whose functions I have described in a former part of my evidence (156), who read the reports of the Inspectors, are responsible for their being such as ought to be communicated to the managers; and any alteration in those reports beyond the merest verbal ones, or it might be leaving out a portion that was flatly in the teeth of a Minute, anything like an alteration of the Inspector's opinions, is not within their power without referring to him.

626. Without referring to him they may leave out a portion that is flatly in contradiction to the Minute?—Yes, and I will put this case. Supposing that an Inspector visited a school under a teacher who was not certificated, and in the summary of the observations to be communicated to the managers he had said, "I recommend a grant of so much money to this school," the examiner would draw his pen through that recommendation.

627. Supposing the Inspector stated in that report something that was directly adverse to the policy of the Minute, which the Department had passed, would the assistant secretary draw his pen through it?—In the first place it would be out of his province in reporting upon a particular school to make his summary the vehicle of an opinion of that kind; but, speaking generally, I think that the examiner or the assistant secretary would do so.

628. Without referring to the Inspector?—Again it is a question so very much of degree. My own memorandum is made on that particular case, and I should like to refer to the papers, because I am speaking now without an accurate knowledge of the matter. My own opinion was very strong on the point of referring to the Inspector in almost every case of omission. I may mention that, besides this Scotch case, I have had two other recent cases within my own experience. There was too this very case of Mr. Morell's. I was sending down to him—I intended to send down to him—the alteration which appeared to me to be required in the case of St. Mary's, Coventry. I did not attempt to make an alteration without referring to the Inspector. In one of the other cases, of which I do not remember the name now, a young Inspector had made some observations upon the books best for religious instruction. I forget exactly what he said, but I sent it down to him to say that it seemed to me to be going rather into the province of the parochial clergyman. He demurred to the alteration, and I said, Will you leave it to the senior Inspector to say whether he advises you to make this report? The papers were sent to the senior Inspector, and the other finally concurred in what should be written. That has been my own practice in cases which have been referred to me, but the mass of them is so great, that the business of the office could not be done if all these cases came before me; and I may refer the Committee to the evidence which I gave before the Royal Commissioners, when I dwelt particularly upon this point, the difficulty of extending this system to the whole of the country. I said, "I have now working with me, two assistant secretaries, and eight or ten examiners." They asked, "Why cannot you double the number and extend the system to the whole country?" The answer that I gave them, was to this effect, "In proportion as you extend this great mass of centralized administration, it is not possible for any one person to have the whole of it under his own cognizance, and you cannot always maintain so much uniformity of administration as is desirable."

629. All I wished to ascertain was this, whether the inferior officers have the power of altering reports?—"Inferior officers," I do not think is quite the expression.

630. I mean inferior to yourself?—The secretariat consists in reality of myself, two assistant secretaries, and the examiners. Every letter in the first instance, goes into the hands of an examiner; if he feels sure as to what he is to do with it, he minutes the answer upon it, and so with every report; if he has a doubt about it, he sends it to the assistant secretaries, and if they cannot despatch it, it comes to me, and so if I have a doubt about it, I take it to the Vice-President.

631. The *Lord Advocate.*] Are there many of these special reports made?—Yes;

Yes; I should think that 40 or 50 of them go out of the office every day, at certain times of the year.

632. Who makes the summary that is sent down to the schoolmaster?—The Inspector has, in his report upon each school, a space left in which he is to put the observations that should be communicated to the managers; and among the papers which I have put together here to form the appendix of my evidence, one of them contains the instructions which show the nature of the Inspector's summary; it consists of very few lines; it is copied in the office, and then communicated.

633. If there is anything that appears irregular in what is marked under the head of the printed schedule, the examiner will correct that before it goes?—The examiner, I consider, is absolutely not at liberty to put anything into it, and he would greatly violate his duty to do so; he might strike his pen through it.

634. He might strike his pen through anything that appeared to him to be irregular?—Yes.

635. That is frequently done?—Yes.

636. Do you conceive that the business of that office could not be carried on as to special reports at all, without some such power being exercised?—I think not; my own opinion is, that the examiners were instituted for that very purpose. Up to the year 1846, as long as no money was distributed on reports, there were no examiners, and the reports were merely received in the office and printed from year to year, but as soon as ever annual grants began to be made to schools on the Inspectors' reports, I and a gentleman from Cambridge were made the first examiners, and our duties were to see that, within certain limits, uniformity of administration was observed in issuing public money on the reports of Inspectors.

637. These examiners are men of a high class, are they not; men of education?—Yes, they are.

638. They are university men?—Yes; and most of them have been distinguished at the university as wranglers and first-class men, and fellows of colleges.

639. With regard to the Scotch case, you thought, or, at least, the office thought, that the report of the Inspector was to be dealt with as a special report to the managers?—Yes; but I should really like, in this case, to state nothing, except subject to correction.

640. Lord *Robert Cecil.*] Will you put in the special report as altered, and the special report as sent out?—With the permission of Lord Granville, I have not the slightest objection to do so. Appendix J.

641. The *Lord Advocate.*] You laid down a rule that the Inspector's report, in such cases, was not to be altered without his own consent?—Yes; I thought so in that case, but I do not lay any stress upon it; I do not think that there was any matter of blame; as a matter of judgment, I thought it was wrong not to communicate the whole of that report.

642. *Chairman.*] You have referred to some instructions of the department to the Inspectors acting under the 19th section of the Act which has been mentioned?—Yes.

643. Are those instructions here?—No; I have not got them here; they were of too special a character.

644. You have mentioned the duties of the examiners; are they prescribed by any instructions in the office?—They are prescribed chiefly in the report that was made in the year 1853, by certain Treasury Committees of Inquiry, which at that time overhauled most of the Government Departments; the Members of that Committee for the Education Department were Sir Charles Trevelyan and Sir Stafford Northcote; and in their report the Committee will find the duties of the examiners defined. There was a supplementary correspondence with the Treasury subsequent to that; but the material functions of the examiners are defined there: you will find them also described in the report of the Royal Commissioners in 1858. p. 27. I could illustrate them, also, by passages from my own evidence before the Commission. I refer also to my answer to Question 156.

645. Lord *Robert Cecil.*] I will call your attention to the Report of 1861, by the Rev. Longueville Jones?—Yes.

646. There are some erasures in it?—Yes.

647. Those were made by you, were they not?—The whole of the marks upon that report are not mine. There are some of mine upon it, but there are some

R. R. W. Lingen, Esq.

4 July 1864.

mere corrections of the press. I think the only marks of mine upon that report are at the end.

648. The erasures at the end were made in your hand?—Yes.

649. The *Lord Advocate.*] The passage that you erased is this: "These circumstances, therefore, lead me to make one further remark to the effect that managers and teachers would always do well to consult the secretary before taking any official step, involving the application of your Lordships' Minutes; and to this I may append the observation which I have ventured to bring forward on a previous occasion, that, on the one hand, a simplification of the Minutes, and, on the other, an increase of elasticity in their operation, are much wished for by all persons, who now reap their advantages." You thought that that was not keeping within the Minute of 1861?—There were two things there that I objected to; first, there was the reference to the secretary. I had in my mind former letters of Mr. Jones's, in which he had stated that the best way to have a Minute relaxed was for a Member of Parliament to call upon the secretary; I had something of that kind in my mind, I believe, when I struck those words out.

650. The last sentence in this report which is struck out is, "And if any change in this code should hereafter take place, the two principles of simplification and elasticity will, I know, be anxiously looked for by the friends of education in my district?"—As far as simplicity went, we had just then, and I think Mr. Longueville Jones mentions it, published the first edition of the Code of Minutes; and as to elasticity, when rules were laid down for the expenditure of the public money, it appeared to me that it would be a mischievous thing to publish such a passage with the authority of the Committee of Council, and I then put some words and suggestions there.

651. The words related to a prospective change in the Code, and what would happen on such an event, and you put in, "In making the official regulations more generally known"?—Yes.

652. Lord *Robert Cecil.*] The recommendation, in short, conveyed a slight amount of censure upon the office?—I did not regard it in the way of censure; but I looked at it in this light, that any one writing to the office might say, "such and such rule is a harsh one—here is one of your own Inspectors recommending elasticity;" that appeared to me not to be a desirable thing to be on record, coming from a public officer to his own department.

653. In short, you struck the recommendation out, because you did not agree with it?—I thought that it was an improper one for the department to receive.

654. The *Lord Advocate.*] Was it not pure speculation on the part of the Inspector; a statement of opinion without a fact to go upon?—I think that the reason that made me strike it out was, that elasticity appeared to me not to be a proper recommendation to make to any department whatever, which had rules to act upon.

655. Did you strike it out because it had no meaning?—No; I thought it had a meaning.

[*The following Report was handed in:*]

GENERAL REPORT, for the Year 1861, by Her Majesty's Inspector of Schools, the Rev. *H. Longueville Jones*, M.A., on the CHURCH OF ENGLAND SCHOOLS inspected in *Wales.*

My Lords,

I HAVE the honour of presenting to your Lordships my report on schools inspected in Wales by my colleague the Rev. B. J. Binns and myself during the official year 1860–61.

In so doing it is always a pleasing duty to bring under the notice of your Lordships the highly efficient manner in which Mr. Binns has aided me during this and all preceding periods, never sparing his labour, and always co-operating in the most prompt and judicious manner. The work in my district has been so much increased of late years, that, without his constant help, at least one half of the schools would have to remain uninspected.

The principal results of my inspection during the period named above are the following:—

(1.) The number of schools, qualifying themselves to receive annual grants, is still on the increase.

(2.) The attendance of the children is rather more regular.

(3.) Money

(3.) Money payments continue to be made cheerfully, and, except in cases of destitution, from whatever causes, are not considered as any hardship.

(4.) Children still leave school at an age earlier than what an anxious teacher could desire, but almost always in order that they may enter on some active and remunerative employment, for which the improved methods of instruction now in operation have fitted them in a shorter time than was formerly possible.

(5.) Religious differences, except when stirred up by interested parties, do not interfere with the harmonious working of Parochial or National schools in Wales. Whenever a parish school is conducted on the fair and non-compulsory plan, which is now generally adopted, children of parents of all religious denominations attend, and receive religious instruction without any remonstrance on the part of their friends. There is no compulsion nor persecution for conscience sake; and it is a positive fact that in the rural parishes of Wales at least, if not in those of towns, the ordinary parochial or church school is used without any objection or remonstrance by parents of all opinions. What the labouring classes principally look for is a good school; they have quite tact and judgment enough to find out which is good and which is bad; and when a school has established its character, and is conducted judiciously, it commands public support without any murmurings on the score of differences as to religious creeds. Nothing is more easy than to get up a demonstration against almost any school, and upon almost any grounds, religious or not; so simple-minded and confiding are the people in the presence of skilful agitators. But if parents are left to follow the dictates of their own judgment, they will send their children to the best and the most convenient school, no matter what may be its name or denomination.

(6.) The provisions made for the teaching of the younger children are still lamentably deficient. In very few parishes of Wales can an infant school be supported separately from the general parochial one; and in this general school, the staff of teachers, the mode in which that staff is organized, and the arrangements of the building, are commonly unsuited to the instruction of infants, or of very young classes, conjointly with older ones. Besides this, two other causes operate against the proper education of infants in rural parishes. The first is, that school managers know too little about the principles and details of this part of educational duties; and they are inclined to spend too large a portion of their funds on the elder children, while they starve the instruction of the little ones. The other is that the teachers are commonly unfitted for this special branch. Certificated masters are generally above it; apprentices are not qualified for, and commonly dislike it; simple monitors do little more than keep a class seldom in silence, generally in noise. Until some great modification of the existing system is made, whereby the aid of good female teachers may be secured for the infant classes of schools, those infants will always be neglected, and their progress retarded. It is astonishing, indeed, that they do get on in the degree witnessed; but the whole progress of schools, and of the people generally, might be accelerated and improved to an extent not yet thought practicable, if only proper means—I had rather say common justice—were used with regard to the training of infants and children of very tender age. Of the five or six years now spent in parochial schools, two may be assigned as the period during which children come on in spite of neglect, and by dint of their mother wit alone.

(7.) School buildings continue to improve slowly in respect of ventilation and cleanliness. Managers and teachers seem to be awakening to a sense of the importance of these subjects; and though they have commonly to contend against the inconveniences entailed upon them by architectural or structural faults, yet they begin to find out that at a very moderate cost they can ventilate their schools for themselves; and also that one of the best lessons they can teach, after the regular and indispensable series of those on religious matters, is that of personal, domestic, and scholastic cleanliness. I wish it were in my power to report that schools are built with greater regard to economy than in former days. I see few signs of amendment in this direction, and the desire, whether expressed or understood, that school buildings (though erected with the aid of the Parliamentary Grant on the score of insufficient local funds) are to be made architectural embellishments of towns or villages, and are to serve for other purposes than those of a school proper, is still a cause of estimates running high, and of large profits being realised, though perhaps not acknowledged, by builders. If positive gain is not shown by the building accounts, yet its equivalent, imperfect workmanship, is the common rule; and upon no one subject are school managers more generally agreed than upon the bad manner in which the work is ordinarily executed. I do not mean to say that the builder is always to blame; very often the fault is with the school committee, who are bent upon having a showy building erected for a sum, with which the great essential of durability is hardly compatible.

It is my firm conviction that in no respect are public and private educational funds so much wasted as in the injudicious erection of school buildings.

(8.) Industrial schools, and schools of art, with very rare exceptions, continue to be dead failures in Wales, without much prospect of anything to the contrary, under existing regulations.

(9.) The education of the sea-faring class, of the young sailor boy, of the adult seaman, the coasting sailor ashore every winter,—on whose moral as well as physical well-being so many national interests depend,—is still neglected in Wales by public bodies and public men.

R. R. W. Lingen, Esq.

4 July 1864.

men. In one of the most thriving of the second-class ports navigation is still taught by a woman after 25 years' practice, and now that declining health and age impair her usefulness, her daughter is succeeding to her post, *because there is no man in the town competent to fill it.* In another of a similar character, the only navigation teacher is an old man, but a clever one, who keeps a small inn. Taking the Welsh coast all round, there are not less than 500 men and boys ashore for three or four months every winter, seeking instruction, and willing to pay for it; but no public body or society has as yet contributed anything towards securing them the means of instruction; and they are compelled to fall back on the ordinary parochial schools, in which, though their presence thwarts the usual arrangements, their general steadiness and good example are worthy of all praise.

(10.) It is my earnest hope that the three common requisites of *secular* instruction,—reading, writing, and arithmetic—are now receiving more attention than hitherto. Those classes in school, which the master or mistress teaches *personally*, are more or less well attended to in these respects; but the other classes—generally including the lower ones,—which are left to an apprentice, or to "*one of the children from the first class*" (a phrase of too common occurrence), are for the most part taught these things badly. Speaking broadly, a thorough revolution is required in this respect throughout the length and breadth of the land. I see symptoms of improvement certainly, but I greatly wish to witness them more universally.

(11.) ~~It is possible that I may be going beyond my province in making the following remark, as the result of my own observation, and, if so, I do it under a desire of correction; but I believe that the experience of many school managers in my district will go along with me.—It is certain that~~ The young men coming fresh from training schools, no matter of what locality and repute, nor of what kind of certificate (for this seems to make little difference in the practice of teaching), are still often found to be very raw and awkward at their work. Lads whom I have known as excellent apprentices, seem, on emerging from their training schools, to have lost no small portion of their skill as instructors; they have improved their own personal knowledge very probably, but their powers of communication do not seem to have received a proportionate increase. After much deliberation I have come to the conclusion, within my own mind, that two years' probation is not a sufficient period after which a certificate of merit should be granted; and I conceive that not less than *five* years' proof of activity and judgment, in the practical working of a school, should entitle a teacher to *any* recognition of merit on the part of the Committee of Council. Concurrently, however, with this, I am also convinced that the period of five years for the apprenticeship does not work well; and I believe that many experienced and practical school managers would prefer a probationary period of two years' monitorship, and then one of three years' apprenticeship, to begin at a time when the young teacher's capabilities may have been tested, and his inclinations more decidedly ascertained. The system of assistant teachers always works well, I am inclined to think. I always hear it well spoken of, and were I allowed to make any recommendation of the kind, I should say that, with regard to the formation of the future teacher, it is much more important that he should go through his period as an assistant than that he should gain a Queen's scholarship, of whatever class, or go to a training college, however fashionable.

(12.) School-managers have received with gladness the new and improved school-books which have lately been put forth by various societies, and by some enterprising publishers. A great amelioration has taken place in this respect, and the progress of education is most intimately connected with it. The only obstacle is that of cost; many excellent school-books, lately published, are still beyond the means of country schools; but if managers could introduce a system of converting the books into the actual property of the children and their parents, *under certain pecuniary restrictions*, this difficulty would be greatly diminished.

Perhaps I shall not be considered as going out of my way to observe that, whereas the adapting of arithmetical knowledge to the common practice of life is of essential importance in all schools, it would be a desirable thing, and one easy to effect, for every school to be furnished, as a *sine quâ non*, with a set of common weights and measures, a pair of large scales, a wooden bushel, quart, and pint, a two-foot rule for boys, a draper's yard-measure for girls; a long stick, cut out of the coppice of some kindly-disposed squire, and measured off as the "rod, pole, or perch;" a common rope, with knots in it at six feet distance, to show that a sailor can stretch his arms out thus far, and so measure a fathom. These ordinary articles, which might certainly be bought for 20*s.*, would, in the hands of a judicious master, teach more practical arithmetic than "*Walkingham*" and all the "*tutors*."

In the same way, if *cheap* diagrams, *cheap* tables, and *cheap* maps of various kinds,—I mean at the cost of a few pence *per yard*,—could be manufactured as papers for hanging the walls of schools, like those of rooms, a very effective set of educational appliances might find their way into almost all schools. But I observe that the great publishing societies and publishing houses are singularly defective in their stock of these things; or, if they manufacture them, they are of a kind more suited to the means and requirements of "*academies*" for young gentlemen and ladies, than for those of parochial schools for the labouring classes.

(13.) It is almost a truism, but it is one which increasing experience daily brings to my mind with greater force, that a good manager, a good teacher, a good school, and public support are all co-ordinate elements of the education question. When the same favourable quality

quality can be assigned to the three first, the fourth is an universal consequence. If the manager fails in his duty towards the teacher and the school, the one has his efficiency impaired, and the other dwindles away; whereas if the first two act together with unity of purpose, judgment, and constancy, the third flourishes, and the public soon testify their substantial approbation. School-keeping always has been, and always will be, a work of much labour, both of body and mind; but the labour brings its reward, inasmuch as its fruits soon testify that it is not thrown away, and also because the steady performance of a public duty is in itself a high privilege and honour. It may not be recompensed by wealth, nor even by gain; but it is repaid in a form more enduring than any money yet coined.

R. R. W. Lingen, Esq.

4 July 1864.

On the other hand, the future provision for aged teachers is a most important subject, which I am afraid many friends of education are willing to keep out of sight. They are afraid to approach any discussion of it, for they know its difficulty; and yet it is one that a few years must bring home to them very forcibly. I would venture to allude once more to what I mentioned, in my last report, as the conviction of some thoughtful school-managers, as well as my own, that all funds for conducting parochial schools should be organized upon a plan, that should admit of the formation of a pension fund for aged or disabled teachers. I believe the thing to be altogether practicable, and easily within the limits of possibility; but I content myself with thus briefly alluding to it, because it does not concern me, in the discharge of my duties, to point out in what way managers and teachers should regulate their mutual engagements. It is a branch of the general question that cannot be ignored altogether; it is certain to attract public notice before long; and I consider it myself as one of the most important to which the friends of educational progress can now turn their attention.

(14.) Two or three cases have occurred in my district during the past year, as well as several in former ones, showing that the interpretation of the Minutes of the Committee of Council is not only sometimes misunderstood by managers and teachers, but is liable to misapprehension even by parties acting with the intention of conforming to them. These circumstances, therefore, lead me to make one further remark, to the effect that managers and teachers would always do well to ~~consult the Secretary~~ *write to the office* before taking any ~~official~~ step involving the ~~application of your Lordship's Minutes~~ *possibility of doubt.* ~~and to this I may append the observation, which I have ventured to bring forward on a previous occasion, that on the one hand a simplification of the Minutes, and on the other an increase of elasticity in their operation, are much wished for by all persons who now reap their advantages.~~ The publication of ~~the~~ *a* ~~Classified~~ Code *in 1860* was felt to be of no small use; ~~and if any change in this Code should hereafter take place, the two principles of simplification and elasticity will, I know, be anxiously looked for by the friends of education in my district~~ *in making the official regulations more generally known.*

I have, &c.
H. Longueville Jones.

To the Right Honourable
the Lords of the Committee of Council
on Education.

Matthew Arnold, Esq., is again called in; and further Examined.

656. Lord *Robert Cecil.*] HAVE you any observation to make as to the division of the Inspectors' Reports by which the reports of only half the body of Inspectors are published at the same time?—I think it is a very important change. I think it is treated as comparatively a light administrative change, but I think it is a very important change; because it is very different whether the Inspector reporting is an Inspector of 15 or 20 years' standing, or whether he is an Inspector just appointed, or a year before. These assistants, who are quite young men, just appointed, and who are certainly put on a level with all the old Inspectors, report alternately with them and rank as they do.

M. Arnold, Esq.

657. The *Lord Advocate.*] I think that in one of the reports that you said was not printed, you made some observations with regard to the inspecting of schools without giving notice to the managers?—Yes.

658. I suppose you are aware that in the instructions to the Inspector it is an express instruction that his visit is to be announced to the parochial clergyman, the minister of religion connected with the school, or to the chairman or secretary of the school committee, and that the school must be examined in their presence?—Yes; I stated that.

659. In fact, your observation was a speculation against the policy of the existing instructions to the Inspectors?—Not exactly that so much as it was pointing out how certain inconveniences, which were caused by this mode of inspection might be remedied.

660. Those instructions are as old, I believe, as 1840?—Yes.

The Rev. *Edward Douglas Tinling*, called in; and Examined.

Rev. *E. D. Tinling.*

4 July 1864.

661. *Chairman.*] YOU are one of Her Majesty's Inspectors of Schools?—I am.

662. Have you been so for any length of time?—For 17 years and a half.

663. Lord *Robert Cecil.*] In the course of last year I believe you had a Report sent back to you for revision?—I had.

664. Under the Minute of 1861?—Yes; the Report came back to me.

665. And at the same time an intimation I believe, of a private character, came to you from the Secretary, to the effect that a certain passage about the augmentation to the schoolmasters was a portion of the Report that was objected to?—The Report came back to me, and I, not knowing in the least what part was objected to in any way, wrote a private letter to Mr. Lingen, as I had frequently written to him before in confidence, to ask him if he would tell me what part of the Report could be in opposition to the wishes of the Council, or be objected to in any way. I received a confidential letter back from him, from which I was led to infer that if half-a-dozen lines were removed, the Report would be satisfactory. Those half-dozen lines contained a statement with regard to the hold upon the masters being loosened by the withdrawal of the Augmentation Grant, and that the same feeling which possessed the masters possessed also the apprentices and the candidates.

666. Therefore those lines were condemnatory of a portion of the Revised Code?—They were showing the effect of the Revised Code in that particular part, the withdrawal of the Augmentation Grant.

667. And they showed that in an unfavourable light?—They showed that the idea which was in my mind, and which was very simply expressed in those words, was that the withdrawal of the Augmentation Grant did loosen the hold upon the masters in my opinion; with regard to their keeping the schools for the education of the children of the poor. That was very strongly on my mind, and the reason that I had for not answering the question, as connected with the Revised Code, was that it appeared to me that the idea of the Augmentation Grant had originated with the Royal Commissioners, and that their opinion was that the masters had no hold whatever upon the Government; it was therefore rather with regard to their opinion, from which I personally differed, that I wished to express that as plainly as I could, and as briefly as I could. Those lines were afterwards removed upon the receipt from Mr. Lingen of a private note to me, and frequently I have had written to me confidential things, having been so long connected with the office, and always confiding in the office, and always having received from the office the greatest courtesy and kindness, I viewed it in confidence, and received it in confidence.

668. Had you had any occasion to do that before with reference to any alterations in your Reports?—I think that more than once in former times I have written to Mr. Lingen about it.

669. When an objection was taken to a Report, you wrote to inquire what the passage objected to was?—I cannot answer that question with accuracy. I do not know, or I would of course answer, but I cannot now tell the ground upon which the question arose, or what I had written to me as to Reports previously, say, a dozen years ago, or ten years, or eight years ago.

670. That has not happened within the last two or three years?—No; not that I remember.

671. The *Lord Advocate.*] Did you ever feel in the slightest degree embarrassed in reporting from your district?—I never did in any way whatever.

672. The fact that that sentence was objected to, or was put out, I presume does not injure your efficiency or usefulness?—No, I am not aware that it does. My own conscience was clear in having made the report to their Lordships. I considered that I had done that which devolved upon me in making the report.

673. Your communication with Mr. Lingen was entirely confidential?—Yes, it was.

674. As a personal friend?—I have always received friendship from all those that I have known in the office during the whole of my time.

675. Your relations and communications with the office, from first to last, have been entirely agreeable and pleasant?—I have never had, in the whole of my

my time, one single unpleasantness with the office in the whole 17 years and a half.

Rev. *E. D. Tinling.*

4 July 1864.

The Right Honourable the Earl *Granville*, by permission of The House of Lords; Examined.

Right Hon. Earl *Granville.*

676. *Chairman.*] YOUR Lordship is Lord President of the Council?—Yes.

677. And also *ex officio* President of the Committee of Council on Education?—Yes.

678. You have been so, I believe, since 1859?—I have been so since 1853, with two intervals; one when Lord John Russell took the office, under Lord Aberdeen's Government, and afterwards when the Earl of Derby formed an administration.

679. I presume that your Lordship considers yourself responsible for the whole action of the department?—Yes.

680. Although the details, so far as they relate to the duties of the Committee of Council on Education, do not come before your Lordship, unless your Lordship's attention is specially directed to them by the Vice-President, or by some other officer in the department?—Yes; I held that office a short time before there was any Vice-President; and everything then, except mere matters of routine, which are great in amount in that office, was referred to the Lord President; but since the appointment of a Vice-President that has been to a certain degree modified, and a general understanding existed, between the Vice-President and myself, that no new rule should be established, and no new alterations in the old rules should be made without my sanction; but of course it was a matter of discretion with the Vice-President what matter he brought before me. We were in constant communication.

681. Does your Lordship remember a report of Mr. Longueville Jones being laid before your Lordship by the Secretary?—I do.

682. In 1863?—Yes.

683. Does your Lordship remember endorsing certain remarks upon that report, and signing them with your initials?—I made a short Minute upon that report. I cannot exactly recollect the words; but the substance was that a great deal of it appeared to me to be irrelevant, and the tone of it was not the tone of a person who wished to act cordially in co-operation with the department.

684. Do you remember whether the report, when laid before you, was marked?—I cannot give a perfectly satisfactory answer to that. I have no recollection of its being marked.

685. Do you think it possible that you may have marked it yourself?—No; I certainly did not mark it, and it would have been quite contrary to the understanding with which Mr. Lowe and I passed the original Minute, for me to have marked it.

686. Lord *Robert Cecil.*] Were these reports ever brought before you except in this one case of Mr. Longueville Jones, previously to their being sent for alteration?—I do not remember to have seen those reports in manuscript, except this one, until they were set up in type.

687. You were not conversant with the process of carrying out the Minute of 1861?—There was one or two circumstances that I heard of and that came before me; but I was not generally conversant with the details of the manner in which it was carried out.

688. Do you remember authorising a letter of instructions directed against interpreting the meaning of the Minute?—I recollect such a letter having been written, and having been sanctioned by me.

689. When you say, "having been sanctioned by you," does that imply that it was brought before you by the secretary?—I cannot remember who brought it before me, whether it was Mr. Lowe, or the secretary.

690. Then, of course, it was your intention, in passing that letter of instructions, that all suggestions inconsistent with the principles of the Minute sanctioned by Parliament should be excluded from the Inspectors' reports?—Yes.

691. You did not prohibit suggestions that were in accordance with those Minutes?—The first Minute, I think, provided for that; that was in 1861; but I agree to what you have stated. I certainly should disapprove of irrelevant matter being introduced into the reports of the Inspectors.

692. The

Right Hon. Earl *Granville.*

4 July 1864.

692. The *Lord Advocate.*] Is your Lordship cognizant of the fact that there are passages in the reports which have been laid before Parliament unfavourable to the Revised Code?—Yes; a great many.

693. In that Memorandum, with regard to Mr. Longueville Jones, your Lordship acted upon your own opinion, I presume?—Yes; I acted upon my own opinion.

The Right Honourable *Robert Lowe*, a Member of the House; Examined.

Right Hon. *Robert Lowe*, M. P.

694. *Chairman.*] YOU were Vice-President of the Committee of Council on Education?—I was.

695. For about five years; since 1859?—Yes.

696. You, of course, are conversant with the practice of the department?—With that part of it which comes under the cognizance of the Vice-Presidents. A very large portion of it does not come under his cognizance. The annual grants do not generally come under the cognizance of the Vice-President. His business is more with the building grants, and with any particular question which may be brought before him as presenting difficulties in any of the other departments.

697. Did the practice of the department, as to Inspectors' reports, come immediately under your cognizance?—Yes.

698. As to both kinds of reports; the individual, and general reports?—Not the individual reports; they were never brought before me; the general reports only were brought before me.

699. The *Lord Advocate.*] Will you be good enough to explain to the Committee the reasons which led to the adoption of the Declaratory Minute of 1861?—The reason was my reluctance to strike out anything myself, as a matter of authority, from the reports of the inspectors. It appeared to me that it was a bad plan to strike anything out as a matter of authority, and then present the report to Parliament as the report of the Inspector. I thought it might raise a controversy between the Inspector and the office, and that he would say, as, I believe, in some cases he did say, that the context was interfered with, by striking out portions; and that the meaning of what remained was altered. I preferred very much, and it seemed to me, and to Lord Granville, to be the better course, to make the Inspector his own censor, and to collect into one Minute, instead of into different Minutes, what it was necessary to say on the subject of the Inspectors' reports; and, if an Inspector happened seriously to offend, to call his attention to it, and to leave him to alter the report.

700. Can you state what the previous practice had been?—The previous practice before I was in the office, as I understood it, and I could only know it from the officials there, was that the Vice-President struck out of the proof portions of the report that appeared to him to be unnecessary for any reason. I believe that then the reports were printed without those passages. Up to the year 1861 I did not strike anything out of the reports. As far as my memory serves me, and from inquiries that I have made, I did not adopt that practice, but left the reports to be printed as they came in. It was then that my attention was called, by Mr. Whalley, to a report of Mr. Morell, a Roman Catholic Inspector, in which arguments were gone into, with regard to the advantages of the Roman Catholic religion; speaking of the greater number of the capital crimes, and the greater number of illegitimate births, and other scandals, in Protestant countries, which were printed, and circulated with the report of the Committee. I thought that that was a very wrong thing; and I was very much ashamed of it, when my attention was drawn to the fact. I felt that I had not exercised a proper supervision in allowing it. I then brought the matter before Lord Granville, and, with his approbation, we adopted this Minute.

701. Do you remember what the passage was that created the greatest scandal upon that subject?—I can only now speak generally, but he referred, as I have stated, to the greater number of capital crimes and punishments, and to the greater number of illegitimate births and other things which seemed to me to be very improper for us to print, and I have since very much regretted it. I think I was very much to blame for allowing it to go on, and I have always felt very sorry for it. That was the report of Mr. Morell, the Roman Catholic Inspector.

702. Which report contained those things?—Yes; and on looking back, I have found that there were other things equally objectionable; there was an idea entertained by a Roman Catholic Inspector as to some miraculous power which he thought was possessed by certain schools connected with certain religious persons, a power of imparting immediate grace or something that I did not very well understand, and that appeared to me to be a sort of thing that was very improper.

703. Those were the reasons that led to the Minute of 1861?—Yes, as far as I can remember; I was under the general impression that it was necessary then to take some step, my dislike being to committing myself to a controversy with the Inspectors as to the propriety of inserting particular passages.

704. It did not occur to you that under that Minute the practice of excising passages was to be continued?—My intention in that Minute was that the Inspector should be his own censor; that his attention should not be drawn to any particular passage; it was not intended to bring the Minute into effect for every little deviation, but for something that seemed to require notice, and it was presumed that those Inspectors, being gentlemen of great intelligence, would know very well what it was that was objected to, and would, if they were so disposed, be able to alter it, and if not that, the report should be laid aside and not printed. I have used the word "Minute" inaccurately; it is not properly a Minute; it is an instruction for the internal management of the office, which is not, in our consideration of such things, a Minute; and it is not laid before the Houses of Parliament as Minutes properly so called are, which relate to third persons, and not merely to the internal discipline of the office.

705. It was an order issued by your authority to your subordinates in the office?—Yes; and by Lord Granville's authority.

706. It has been suggested that sending back the report of an Inspector to him without marking is mutilation; did it occur to you that mutilation had that signification?—Of course, the Committee are better able than I am to judge as to the meaning of the word mutilation. I am not here to cavil on terms; but I can give a piece of evidence which I should be very glad, with the permission of the Committee, to state, and that is as to the way in which I understood the word mutilation before this question could have arisen. When the motion in the House of Commons was brought forward I understood the word mutilation, perhaps being in some degree guided by the speech of the noble lord the Member for Stamford, and the manner in which the motion was brought forward. He spoke of me, the Vice-President, as having personally cut out this, omitted that, and struck out the other, to support the statement made in the motion that the Reports had been mutilated, to mean direct excision. I did not think it wrong to strike out passages, but I had not done it. I stated in reply, the Instruction of March 1861 and my practice under it, which I considered to be an answer, and a refutation of the statement in regard to the mutilation. The construction that I then put on the term was, that it was not to be reconciled with my statement, and that sending a report back under the Minute or Instruction was not a mutilation. The House resolved in a contrary sense, and I resigned my office, not because my Department was censured, but because I considered, in fact, that The House gave me the lie in resolving, after the statement I had made, that I had mutilated. That shows the construction which at that time I put on the word "mutilation," and I may say that I had consulted with many persons, and had been spoken to by many persons on the subject before I resigned my office, and, as far as I remember, no one ever suggested to me that the terms of the Resolution of the House were consistent with the statement which I had made as to the Instruction.

707. If you had supposed that mutilation meant simply carrying out the Minute of 1861, according to your understanding of it, your course would have been very different?—I should not have thought it necessary to resign my office; the Department was censured, but that would not have concerned me: that would have been the Government's look-out. I considered that my personal honour was struck at, when, as I understood, the statement which I had made appeared to be disbelieved by the House.

708. I believe the Revised Code was introduced in the year 1861?—Notice of it was given to the House in July 1861, I think on the 12th, and I believe it was introduced on the 28th of July. I think it was printed about the 3d or 4th of August 1861. This Minute or instruction was in January 1861.

Right Hon. *Robert Lowe*, M.P.

4 July 1864.

709. Did you find it necessary, in carrying out the instruction or Minute of 1861, to send back some of the reports, in consequence of the controversial writing contained in them?—Certainly.

710. Some of those controversial passages related to the Revised Code, did they not?—Yes.

711. Will you be good enough to state to the Committee your view upon that subject, and as to the question of insubordination in the office?—I considered that I had a perfect right, whether under this Minute or independently of it, to repress anything like insubordination in the office. It is the duty of an Inspector, and he is fairly entitled to lay before the department, and through the department before Parliament, his views on the schools which he inspects, and to make any practical suggestions for their improvements; but it is not his duty, indeed it is contrary to it, to enter avowedly into a controversy with the Department; and it is not his duty, in my opinion, to write in a manner which displays a decidedly hostile *animus* towards the Department. I think that there needs no Minute to lay aside such reports as those; it is a mere matter of common official subordination, that they should not be printed. I should never, without any Minute, have hesitated to lay aside a report upon such grounds.

712. As far as your administration of the Department was concerned, was the balance evenly held between speculations or controversies in favour of the Revised Code, and speculations or controversies against it?—I should say that the wish was to hold the balance even. I have no doubt, if these things come to be reviewed, that it will be easy to find passages, in fact, I remember one, favourable to the Revised Code, and it will also be easy to find passages which are hostile to it; but the wish was to hold the balance even; and there was no wish to have anything in favour of the Revised Code from an Inspector, nor was there any objection to have anything that fairly came within the limits of the Minutes stated against the Revised Code. I take no credit for that, because it was not my interest in the least to appeal to those Inspector's reports, in favour of the Revised Code; a great number of the Inspectors were against it; but if I appeal to Cæsar, I must go to Cæsar; that is, if I set up the opinions of the Inspectors as being of great weight when they were favourable to me, I must also take the other side when they were, as the majority of them were, unfavourable to me. Therefore, I really had no wish to insert anything that was favourable to myself on the subject, nor had I any objection; it was so notorious that the majority of the Inspectors were unfavourable to me; to anything being put in that was unfavourable, and which did not go beyond the proper limits of official subordination and discipline.

713. Were you aware that in the first year after the Minute of 1861, reports were sent down to the Inspectors with passages marked?—No, I was not aware of that until I think, as I stated to the House, February 1862, when my attention was drawn to it by a letter of Mr. Watkins, in which he said that he had perused passages which had been marked, and I found then that there had been passages marked.

714. You then wrote out an instruction to the subordinates, that no passages were to be marked again?—Yes, I did; and I was very much annoyed that it had ever been done.

715. It was not your intention?—No, it was not; and the Committee, I think, will see that if it had been the intention, the Minute was mere circumcolocution; unless it threw upon the Inspector, not only the business of correcting the passages, but of discovering them, it was of no effect.

716. You trusted to the intelligence of the Inspector to find out in what he had gone wrong?—Yes, and I hope I never exercised power vexatiously, but only when the case was so plain, that any gentleman of ordinary intelligence would see at once what was meant.

717. What number of Inspectors sent in reports at the time you were in the office, and how many were printed for Parliament?—I cannot tell you at this moment, but I think about 23; I should mention that at that time, the Inspectors were divided into Head Inspectors and Assistant Inspectors; the Assistant Inspector did not report, but now that distinction is abolished, and they will report I believe in alternate years; they are now all Chief Inspectors, and there are no Assistant Inspectors, and the consequence is that they will report alternately, that is the new system.

718. I believe your attention was called to the Reports of Mr. Bellairs and Mr.

Mr. Blandford for the year 1862?—I cannot recollect now, but I can remember what I have heard and known since; I know that we asked, and made it a matter rather of favour, that they should not put in some observations that were favourable to the Revised Code in their Reports. I know that it was so, but I do not remember the thing exactly.

719. Do you consider proper supervision on the part of the office essential to the due administration of its functions?—I do, indeed; I consider it absolutely essential. I cannot understand any man, who values his character, undertaking the administration of an office like the Privy Council, subordinate to Parliament, and established for the discharge of very delicate and difficult duties in the administration of a large sum of public money, if he is to be at the same time responsible to his own subordinates—if those through whose reports the money must be spent are to have the power of reporting against the chief to whom the control of them is entrusted, so that every censure which he may pronounce against the conduct of an Inspector, every reason of displeasure that he may give him, may be revenged by adverse reports which he is bound to lay before Parliament. I can understand no gentleman, who values his character, undertaking the working of an office under such circumstances. It would really be a divided responsibility, one part of it to the House of Commons, and the other part to a special bureaucracy, constituted out of the subordinates of the office itself. I hold that no office could be worked under such a double responsibility as that.

720. In all cases do you believe that when you directed reports to be re-transmitted to Inspectors, your opinion was that they had violated the Minute of 1861 by entering into topics which were not proper?—Yes; but I think there was one of Mr. Longueville Jones which was returned to him because we considered that its animus was evidently hostile to the office, and a breach of proper subordination and discipline; we laid it before Lord Granville, and he made a note upon it to that effect, and we returned it on that ground.

721. Lord *Robert Cecil.*] I understand you to admit that matter adverse to the educational views entertained by the Privy Council, is excluded from the reports?—It has been excluded certainly, as in the case of Mr. Watkins s Report; or rather, I will not say that it has been excluded from the reports, but the reports have been laid aside which contained such matter; that is the proper way of stating it, I believe.

722. And not only that, but an explanatory letter was issued by the Department in plain terms forbidding the Inspectors from making any suggestions inconsistent with the principles of the Minutes sanctioned by Parliament, was it not?—Perhaps you will have the kindness to tell me what you refer to; if it was anything issued in my time, of course I am responsible for it.

723. In August 1863, a letter of instructions was issued, was it not, explanatory of the Minute of 1861?—I have forgotten it altogether; if you have it there, I dare say it is quite right.

724. It contains this clause. "By the term 'state of schools under your inspection' you will understand facts observed within the circle of your official experience; and by the term 'practical suggestions for their improvement,' you will understand suggestions consistent with the principles of Minutes sanctioned by Parliament"?—Yes.

725. That I presume you will admit excludes matter inconsistent with the principles of Minutes sanctioned by Parliament?—I suppose you can judge of that as well as I.

726. You do not admit, I understand, that matter favourable to the opinions of the Committee of Council has been admitted?—Certainly.

727. Do you admit that matter favourable to them upon controversies pending before Parliament has been admitted?—I cannot tell; but I really cannot carry in my mind all the reports. I think it is very likely. My principle was not to construe the rule strictly, and to allow a good many things to be done that were in violation of its strict interpretation; it was not meant for every little deviation.

728. Mr. Watkins's Report, containing passages hostile to the Revised Code, and Mr. Matthew Arnold's Report, also containing passages hostile to the Revised Code, were suppressed at the time when the Revised Code was under discussion, were they not?—I cannot tell how that was.

729. They were suppressed, were they not, in 1862?—I do not know; I dare say they were; I remember that of Mr. Watkins, because in his particular case

Right Hon. *Robert Lowe*, M.P.

4 July 1864.

there was one thing that dwells in my mind. He entered into a hypothetical controversy as to the propriety of having pupil teachers to teach rural schools. That appeared to me to be an answer to my speech in Parliament, and not a very decorous proceeding. It was a matter upon which he could not have any experience, because it had never been tried.

730. There has been also admitted into a report matter in refutation of a statement made on behalf of Mr. Walter's motion?—Certainly; and very properly, as I think. Will you allow me to add to that, that so far as I am aware, speaking from memory, nothing has ever been excluded which was favourable to Mr. Walter's motion, because, so far as I am aware, nothing of that kind has ever appeared in a report.

731. There was matter favourable to Mr. Walter's motion in Mr. Longueville Jones' Report of 1863, was there not?—I really do not know; there was something, I think, which was read in the House of Commons. Perhaps you will have the kindness to read the passage.

732. "The schoolmistress of Conway is the best infant teacher in my district; admirably fitted for her duties in every respect, and deserving of the greater credit because she is not certified, though she is aided by pupil teachers?"—I gather that that was in Mr. Longueville Jones' Report. It was a perfectly harmless observation, which no one would ever think, I should suppose, of objecting to. The only fault of the observation is, that it is not a very wise one. An uncertificated teacher means a teacher who has not been examined, and an examination is only a test or proof of knowledge; not a means of giving the knowledge itself.

733. You would consider it objectionable, as a passage intended to harass the Department?—I cannot tell; it is a passage which may have been meant, likely to have been intended, to embarrass the Department; it seems a very foolish and harmless observation.

734. You are not aware that it had been marked?—Now that you speak of it, I think I have been told so in the course of these matters.

735. Before the debates, I mean?—I cannot charge my memory; I may have been aware of it, but if so I have forgotten it. If you mean that it would have the slightest weight with me in the question of sending back the report of the Inspector, I assure you that it would not; it seems to me as harmless an observation as a man can make.

736. In sending back the reports to the Inspectors, you sent them back because you objected to particular passages, did you not?—It was just as it happened what I objected to. In one case that I have mentioned, I objected to the whole report; it appeared to me to have a sort of under-current of insolence, in fact, an *animus* in it, and not to be a *bonâ fide* report, but abusing the power of reporting, for the purpose of writing what would be annoying to the Department.

737. In other cases, you sent the reports back, because you objected to particular passages?—Of course I objected to something or other; it could not be otherwise than that I objected to some sense or meaning conveyed by the report.

738. You believed that the Inspectors would know what was objected to?—Yes.

739. Without any mark to indicate it?—Certainly.

740. And that the Inspectors would know, that unless they took those passages out the reports would be suppressed?—Yes.

741. Do you see any difference between that and ordering them to cut the passages out?—Yes, a great difference.

742. In what does that difference consist?—The difference consists in this, if I give them an order they must obey it, or be dismissed; but if I sent the reports back to them they had the choice of making them unobjectionable, or of their reports being laid aside.

743. Do you see any difference betwen sending them a report back and ordering them to cut certain passages out, and sending a report back and letting them know that unless they cut those passages out, the report will be suppressed?—Yes; there are many ways of correcting a report; a passage may be qualified, a few words may be altered in it; the words "cutting out" have never been used by me; they have been employed of me, but not by me.

744. Why was it material to your purpose that the passages should not be marked?

Right Hon. *Robert Lowe*, M.P.

4 July 1864.

marked?—Because I did not choose to involve myself in a controversy with an Inspector as to the propriety of striking out particular passages. I considered, that the Department having laid down rules for his guidance, it was his duty to conform to them; and if he was unable to conform to those rules, he was not a gentleman of the intelligence required for the office he held. If, on the other hand, he was able to conform to them, and did not do so, then it was quite right that his report should be laid aside as unfit to be presented to Parliament.

745. As you are convinced that he would know what passages they were to which you objected, it came to exactly the same thing, did it not, as if you had marked them?—No, it did not come to exactly the same thing; because, if I had issued my order to him to alter the passages, he would have been placed in direct antagonism to the office; whereas, as it was, it was merely a matter of choice for him whether he would have his report printed or not. Besides, the objection might be removed by altering the passage in some way; that was for him to see to. It was for him to make his report conformable to the Minutes, and not for me to teach him how to do so.

746. Your practice amounted to a direction to him to qualify or expunge certain passages, did it not?—My practice amounted to a direction to him to make his report conformable to the instructions which he had received. How that was to be done, was his affair.

747. In your mind you had no doubt how it was to be done; it was to be done by cutting out certain passages?—That was not my intention. I wanted to have such a report as I felt it consistent with my duty to lay before Parliament; it was for him to consider how his report was to be made conformable to the Minutes, and not for me.

748. You sent the report back for the purpose of having particular passages expunged or qualified, did you not?—No, not for the purpose of having particular passages expunged or qualified; for the purpose of having the report made in accordance with the instructions issued by the Privy Council. Those might be the means by which it was done, or there might be other means. The means were to me a matter of indifference; the object of sending back the report was not to have particular passages struck out or to mutilate the report, but to have it made conformable to the instructions of the Privy Council; and the making it so, was his business, not mine.

749. If the existence of certain passages was all that stood in the way of its being in conformity to the Minute, the only mode by which the Inspector could make it conformable was by expunging or qualifying those passages, was it not?—It might be so; that was his business.

750. In such a case, did that practice not amount to a direction on your part so to expunge or qualify particular passages in his report as to make that report unobjectionable?—I think not; my direction was to make the report conformable to the Instruction; how that was done was his business.

751. Did it not even amount to an effort on your part to induce him to expunge or qualify certain passages?—It was a matter of perfect indifference to me whether he expunged or qualified them, or not at all; what I wanted was, that the document which I presented to Parliament should be a document which I thought I could properly present to Parliament. My object was not to suppress any opinion of these Inspectors, but to preserve the discipline and subordination of the office.

752. You say that you objected to particular passages, and sent the report back to the Inspector on account of that objection, and yet you say you made no effort to induce him to expunge or qualify such passages?—I objected to the report.

753. You objected to particular passages in the report, as you have already said?—That does not appear; I sent the report back.

754. Have you not said that you objected to particular passages in the report which you sent back?—If you mean to say that I entertained in my own mind an objection, no doubt I did so, but I did not make the objection; the word which you use is ambiguous.

755. You sent the report back to have those passages expunged or qualified, did you not?—No; I sent it back to be made conformable to the instruction. How that was done, was the Inspector's business.

756. Concerning the policy of this process, upon which the Lord Advocate has asked some questions, do you think that the reports, when they had been so made

Right Hon. *Robert Lowe*, M.P.

4 July 1864.

made conformable by the exclusion of such opinions as were adverse to the principle of the existing Minutes, were an equally fair representation of the Inspectors' opinions as they were before that exclusion had taken place?—That question involves so many assumptions that I must decline to answer it in that shape.

757. Do you think that a report from which the Inspector had been induced to take out passages by having that report sent back to him was an equally fair representation of his opinions as the original report?—I do not understand what you mean by a fair representation of his opinions; I suppose whatever was in the report would be a representation of the opinions of the Inspector, and I presume that, as he made it himself, it would be a fair representation.

758. Even after pressure had been applied to him to induce him to alter it?—Yes; because that might tend, of course, to his omitting some opinions, but it would not at all alter the fairness of the representation of those opinions that he did express, as it seems to me.

759. If the opinions which were omitted tended to qualify the opinion which was left in, the fairness of the representation of the opinion would not remain the same, would it?—Then he would not have expressed his own opinions, but opinions which were not his, which would be, of course, not a fair representation of his opinions; but nobody wants him to express the opinions of anyone else but himself.

760. That would be done in obedience to the directions with which his report was sent back to him, would it not?—No, I think not; he is only asked to make his report conformable to the rules of the office; he is not asked to express opinions which are not his own.

761. The *Lord Advocate.*] When an Inspector stated, not opinions, but reported facts, even although those facts were unfavourable, or led to an unfavourable inference to the Revised Code, would you ever have excluded such facts?—Certainly not, as far as I am aware. I am very sorry to speak in a positive and sweeping way of things that cannot possibly live in my memory; but the principle was, that no facts which could throw light upon the subject should be excluded upon any account. There was not the least intention to exclude such facts.

762. So that, if an Inspector reported fairly facts coming within his own cognizance in his own district, whatever the inference from them might be, you would not have excluded them?—You will find many cases of facts appearing in the reports, from which an inference unfavourable to the Revised Code might be drawn. In one case, for example, there is a passage in a report upon the melancholy diminution of pupil teachers; whereas any one who looks at the notes to the Estimates of this year will see that the pupil teachers are as numerous as they were three years ago. But that statement was not suppressed on that account. It was true of that gentleman's district, although not of the country generally; and those who were opposed to the Revised Code were entitled to it for as much as it was worth.

763. Those facts were stated with direct reference to the operation of the Revised Code?—Yes.

763*. And with unfavourable reference to it?—Yes, of course.

764. Mr. Lingen stated to us that the supervision was not so strict when the opinions expressed were not unfavourable to the policy of the office, should you say that that was correct?—No; it may be so as a matter of fact. I do not pretend to say that Mr. Lingen's judgment, or the judgment of the Committee, would agree with mine; but it was not the intention that it should be so, unless the opinions were so expressed as to amount to a sort of attack upon the office. As far as statements of opinion go, I am not conscious of it. I will not say that it was not so, it was not my intention. Having really no motive, to do otherwise, I take no credit to myself for impartiality, it being quite notorious that those gentlemen were opposed to me in general. I had no wish whatever, except to keep up the discipline of the office, and to keep things within bounds.

765. *Chairman.*] As a matter of the detail of practice, how were the objectionable passages, if any, brought under your immediate notice?—My secretary read to me generally, I believe almost uniformly, the whole report. If there was any question as to the Report, I thought it my duty to read the whole of it, and then sometimes he and sometimes I would call attention to any particular passage. There may have been some instances in which he has called my attention, if

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Right Hon. *Robert Lowe*, M.P.

4 July 1864.

there was a great press of business, or from some other cause, only to particular passages. But, although I am always unwilling to speak of these things positively, because I may say what has not been always the case, yet my feeling of what it was my duty to do, and what I think I always did was, to read the whole Report; I considered that it was my duty to the Inspector to do so; I will not say that I might not sometimes have omitted to do so, but I think it was due to him that I should do so.

766. The secretary's attention was called by an officer who, in fact, was a reader for the press, or censor for the press?—Yes.

767. Did Mr. Lingen convey the notice he had received to you in any way?—Not in any way; I was not at all aware of it.

768. In fact your notice of any objectionable passages, if there were any, was derived from your private secretary?—From my private secretary.

769. Or from your own reading of the Reports?—I never read them myself.

770. From their being read to you?—Yes; I never read them myself at all.

771. Lord *Robert Cecil.*] Was it your practice to strike out a statement of opinion which was not the inspector's own opinion?—I never struck out anything.

772. Was it your practice to send back a report with an objection in your own mind, to passages which were statements, not of the Inspector's own opinion, but of the opinions of the managers of the district in which he worked?—I really do not remember.

773. For instance, with respect to Mr. Watkins' report, do you not remember whether that was the case?—I do not; but I should think not. I do not know.

774. A statement, for instance, that the district was hostile to the Revised Code?—I cannot tell,; it would depend a good deal upon the context. Speaking, without reference to Mr. Watkins, or anybody else, I think that would be an improper statement for an Inspector to put into his report. Whether alone it would be sufficient to authorise one in sending it back, I do not know; I should think not. I think it is a matter that an Inspector is not authorised to put into his report. As a matter of strict right, I should not shrink from the responsibility of sending it back.

775. You do not look upon it as a matter of fact?—It might be a matter of fact, but I should think that it showed a very improper *animus* against the office.

776. It is a matter of fact which you would object to?—It may be a matter of fact that the opinion existed; I should think it a matter to be objected to, not because it was adverse to the Department, but on other grounds. We knew very well that the House was constantly being besieged with petitions, and that there was an immense agitation in every parish against the Revised Code, and therefore it is out of the question to suppose that it was of importance to the office whether a particular set of managers in the country were said to entertain opinions against the Revised Code or not. It could only be because it showed an insubordinate *animus* that it was objected to, if such was the case.

777. You consider, then, that it shows an insubordinate *animus* on the part of an Inspector to take facts which are unfavourable to the office?—I confine myself to the particular fact you have mentioned; it may be qualified by the rest of the report. I may be quite wrong. I am not bound to be right in these matters, I am only to act to the best of my humble judgment; but I think that that would be an improper thing for an Inspector to put into his report. As a matter of discretion, it might be wise to pass it over, but it would quite justify the office in sending the report back to him. I do not think that a subordinate member of an office ought to enter into a controversy with the office. I do not think that an office can be conducted on those principles.

778. Or even that he is at liberty to state that a large number of persons object to its policy?—I confine myself to this case. Of course there might be circumstances under which that might be done without any *animus*; for example, a man might say that they had objected, and that they had changed their minds, that would modify it, or that they objected; but that they were under the influence of a mistake. If it was merely done to embarrass the policy of the department, I think it would have been my duty to send the report back to the Inspector.

779. You think that if an Inspector furnishes anything which the Parliamentary

Right Hon. *Robert Lowe*, M.P.

4 July 1864.

mentary opponents of the office can use against it, that shows an *animus* on his part against the officer?—No, I do not.

780. *Chairman.*] I think you said in answer to a question just now, that your attention was always called to the reports by your private secretary reading them over to you?—Yes.

781. It was not through Mr. Lingen, or any other officer in the department?—No; Mr. Lingen had read them all first, no doubt.

782. Lord *Hotham.*] Mr. Lingen communicated to you through your private secretary?—He did not communicate with me. I read the reports, and if I had any doubt, I talked to him about it afterwards.

783. The documents were brought to you at the instance of Mr. Lingen, were they not, by your private secretary?—That I do not know; they might have been at his own discretion. I daresay it was at the instigation of Mr. Lingen.

784. *Chairman.*] Could any report be sent back to an Inspector on Mr. Lingen's suggestion only?—No, I think not. I kept all the sending back in my own hands under the Instruction.

785. You remember the letter signed by the initials of your private secretary, dated the 14th of February 1862, do you not?—Not at this moment.

786. It is this: "Mr. Tilleard,—Mr. Lowe directs that Mr. Watkins' general report shall not be printed. Secondly, that no red ink marks shall be made on the Inspectors' manuscript reports; the best way will be to turn down the corner of the leaf of the page to which attention is to be drawn." That is signed "W. E." We are told that that is Mr. William Edwards?—Yes; that is the substance of the direction which I gave. I found that the reports were read over by Mr. Tilleard; then Mr. Lingen saw them; and then they came to me. I do not think I knew how it was done before that time, but I will not be certain.

787. No report would be sent back to an Inspector as objectionable, unless you had previously seen it, and given orders that it should be sent back to him?—No; it would be entirely irregular if it was done; it would be entirely contrary to the practice of the office, and the intention. I think it was only due to an Inspector that he should have the opinion of one of the heads of the office before such a step was taken.

Martis, 5° die Julii, 1864.

MEMBERS PRESENT.

The Lord Advocate.	Lord Hotham.
Lord Robert Cecil.	The Honourable Charles Howard.
Mr. Dodson.	Mr. Howes.
Sir Philip De Malpas Grey Egerton, Bart.	

EDWARD HOWES, Esq., IN THE CHAIR.

Ralph R. W. Lingen, Esq., called in; and further Examined.

R. R. W. Lingen, Esq.

5 July 1864.

788. The *Lord Advocate.*] HAVE you looked through the Reports for 1861-62, for 1862-63, and for last year, in order to see whether there were passages admitted, and not withdrawn, which were unfavourable to the Revised Code?—I have.

789. Have you made extracts of those passages?—I have made extracts of a great variety of the passages that would be capable of being used as arguments against the Revised Code.

790. I suppose you could furnish the Committee with a note of the references to those passages?—I have the pages here of those passages. I should state respecting them, that their value would of course very much depend upon the line of argument taken against the Revised Code. All that I wish to state is, that I have made extracts which, in discussing the moot points of the Code, would be available to an opponent of it in debate.

791. Will you prepare and hand in a note simply giving a reference to the pages in the volume where those passages are to be found?—Yes; I can do so in a short time.

792. *Chairman.*] Your note will contain a few of the most obvious references?—Yes.

LIST OF APPENDIX.

Appendix (A).

Reports withheld - - - - - - - - - - - - - - - p. 1

Appendix (B).

Inspectors' Reports - - - - - - - - - - - - - - - p. 25

Appendix (C).

General Report, for the year 1861, by Her Majesty's Inspector, James Cumming, Esq., LL.D., on the Schools connected with the Free Church, and other Schools, inspected in the North and East of Scotland, and in the Orkney and Shetland Islands - - - - - - p. 26

Appendix (D).

General Report, for the year 1862, by Her Majesty's Inspector, the Rev. E. D. Tinling, on the Church of England Schools inspected in the Counties of Cornwall, Devon, Dorset, and Somerset - - - - - - - - - - - - - - - - p. 28

Appendix (E).

Letter from Mr. F. Watkins to the Secretary, dated 8 February 1862 - - - - - p. 29

Appendix (F).

Instructions and other Documents relating to Inspection and Inspectors' Reports - - p. 30

Appendix (G).

General Report for the year 1858.—Rev. F. Watkins - - - - - - - - p. 63

Appendix (H).

St. Mary's, Coventry, R. C. S. - - - - - - - - - - - - - p. 71

Appendix (I).

Schedule of Grants - - - - - - - - - - - - - - - p. 73

Appendix (J).

Copy of Inspector's Report on Cockburnspath, under Section 19 of the Schoolmasters' Act (Scotland) - - - - - - - - - - - - - - - - - p. 74

Appendix (K).

References to Reports of Inspectors - - - - - - - - - - - p. 74

Appendix (L).

Correspondence referred to in Questions 192, 196, and 607 - - - - - - p. 75

APPENDIX.

Appendix (A).

Reports withheld.

General Report for the Year 1861, by Her Majesty's Inspector, the Rev. *W. Warburton*, M.A., &c., on the Church of England Schools inspected in the Counties of *Berks, Hants*, and *Wilts*, and in the *Isle of Wight*.

My Lords, Winchester, September 1861.

Though the year just closed has been an eventful one for the education movement in this country, I have but little to record, as far as my own district is concerned, in the way of progress, either in actual school extension generally, or in the amount of interest and enterprise shown in the cause of education, or in the feeling of responsibility to the rising generation of the labouring poor in remote, and, as it is now the custom to call them, "apathetic" districts. Much energy has been absorbed in controversy, and the zeal of "educationists" has been shown rather in the vigour with which they have discussed the Commissioners' Report and the Revised Code, than in local efforts for improvement, into which I might, in this review, legitimately follow them. I feel bound, however, in justice to your Lordships, and to myself, to add to all that has been already said and written, a few words in vindication of my own mode of conducting the examination of schools from the charges vaguely advanced against the efficiency of our inspection by the Royal Commissioners, as I do not think we ought to remain silent under strictures of such an injurious character. The Report either makes statements, or approvingly quotes evidence, implying that Her Majesty's Inspectors habitually fall into three of the most obvious blunders in conducting school examinations. (1.) We only, or chiefly, take account of the first classes (p. 238–273). (2.) We tempt teachers to work at the more showy subjects (pp. 231–273). (3.) We adopt each a different standard of his own in judging of the character of the schools we inspect (p. 230).

Report of Royal Commissioners.

I have read the passages in which these charges occur with real surprise. While fully conscious that the present system of inspection is not so perfect as it might be, I do not think that the Commissioners have hit the real blots. I believe that the statements, under the first two heads at all events, are very far from representing the exact state of the case. On the third, that of the variations of standard, I will only say that I have recently had inspectors from different parts of England temporarily assisting me in this district, and have found that they give substantially the same opinion as my colleagues and myself held, of the good, bad, and indifferent schools which they inspected for me.

As to the first and second charges, viz., that our estimate of the school is taken from the first class, and that the teachers are encouraged to pay attention to showy, rather than to useful matters of instruction, I repeat, that as far as my knowledge goes, they cannot be maintained, and I therefore submit that they can be only partially true. The Commissioners themselves show by the quotations they make from 12 Inspectors' Reports (and the number of such extracts might be largely increased), that our attention has been, and is particularly directed to remedy the evils, of which it is stated that our method of inspection is one chief cause. Our eye has been upon these as the points of weakness likely to be found in all schools. I believe it is the practice of many inspectors, as it has always been my own, in the examination of each class, to give priority to the elementary subjects, and, if they are not soundly taught, to make short work of the ornamental parts of the time-table. Though fully convinced that geography and grammar, and some other less common subjects, may be taught with great profit to the school, and no loss whatever to the staple subjects of instruction, I should feel bound to give a good report of a school in which, in addition to religious knowledge, the elementary subjects, reading, writing, arithmetic, and needlework, were thoroughly well taught, to the exclusion of everything else, and should as certainly, give a bad character of a school in which the more advanced subjects were elaborated to the prejudice of those on the necessity of which all would agree, however remarkable might be the success in teaching the former.

I have, in fact (as already stated in my report for 1858–9), made it a rule, at some time or other during the examination of the first or upper classes, to dictate to the children a

Appendix (A).

short passage, in language suggested by what was passing, as simple as I could make it, and two or three sums in one or more of the first four rules of arithmetic; and to the manner in which this exercise is done I attach more importance in forming my estimate, than to many other points which might appear more critical to the teachers, or to the scholars themselves. It is in the elementary subjects that the failure of teaching, as a whole, will become manifest.

I may mention that at a large meeting of managers of schools, and teachers, held here recently, at which I was invited to attend, and at which the Report of the Commissioners came under discussion, nothing appeared to excite more surprise than the statement that the tendency of Government inspection was to make teachers neglect either their lower classes or their "lower" work. Some of those present even went so far as to say that they thought it one of the merits of inspection, that, just as it was calculated to counteract slovenliness or harshness, or any of the other evils which may develop themselves in the character and conduct of teachers from the influences to which they are most exposed, it acted further as a salutary check to the natural tendency, on their part, to bestow most care on the quicker scholars, whom it is an easier and more interesting task to teach, and from whose progress they may hope to gain the reward of praise, over and above that of an approving conscience.

One statement in the report I cannot pass by without remark. It is asserted in page 231, and repeated in page 273, "that Inspectors often lead the children to dwell on matters of memory rather than on reasoning, and on details rather than on general principles." If such conclusions as these represent the real state of the case, they establish something more than defects in the inspection as it is at present conducted. They would show that we had failed to master the A, B, C of our duties. Isolated as inspectors are, each of us can rarely venture to speak with any certainty of what his colleagues in different parts of the country may do; but as far as myself and my assistants in this district are concerned, I think I can aver, without danger of contradiction, that we have inculcated on teachers over and over again, when necessary, as indeed it generally is, that their aim should be rather to teach children to love knowledge, and to make right use of their faculties in the acquisition of it, and to give them the power of forming just inferences from what they see around them, than to charge them with a quantity of facts, a very small residuum of which will be found not to have evaporated in the dark age of contented stagnation, which, in the case of poor children, generally intervenes between school time and adult life, unless their susceptibilities have been so far awakened to make them feel the pangs of ignorance.

Appointment of Assistant Inspector.

The increasing number of claims for inspection in this district made it necessary for me to ask for further assistance from your Lordships at the beginning of the winter of last year, and I have to express my acknowledgments for the appointment of the Rev. J. W. Nutt, from whose active and methodical assistance I have derived the greatest advantage. My other colleague, the Rev. R. Hughes, was suddenly attacked, in the spring of this year, by an illness which has made it necessary for him to withdraw from the work of inspection altogether, and I have therefore lost the advantage of his help during the greater part of the year; yet, notwithstanding, there is a considerable increase in the number of schools inspected during the 12 months embraced by this report, 296 separate institutions having been inspected in the year 1859-60, and 364 in the year 1860-61. Of the latter, 44 were visited for simple inspection only. The number of scholars examined during the past year was 39,736, against 35,323 in 1859-60. The increase in the number of certificated teachers found at work by us was only three. The number of pupil-teachers, which it has been the effect of recent legislation to diminish in the country generally, still continues slightly to increase in my district, the general tendency to increase not having been counterbalanced by the working of the regulations, that four apprentices shall be the maximum allowed for each teacher, as the great majority of my schools are not large enough to have more than four under any circumstances.

Progress.

School premises.

On the question of progress in the efficiency of these schools, I have a few observations to offer. (1.) As to the state of school buildings and premises. The managers are now apparently fully awake to the importance of providing light, healthy, and roomy apartments for the accommodation of the children, and all other arrangements for physical comfort and propriety, tending to make the school a place where the children may be civilised and elevated in manners and habits, by seeing something better than what they are used to in the cottages of their parents. In the four new schools which have been erected during the year in my district, these matters have received due attention, and great efforts have been made to improve school buildings and premises generally, and to provide parallel desks and other internal apparatus, which are no longer looked upon by any, as matters of supererogation and merely official hobbies, but as a great help in bringing about the ends for which a school is established. I hear less and less pleading of the merits or harmlessness of the old side desks, over which the children idly stare at the wall, or pass playthings up and down the line, during a great part of "lesson" time, instead of attending to their work under the full gaze of the teacher, as parallel desks compel them to do; or for the damp brick floor, which has benumbed the feet and intellects of successive generations of little scholars since the dark ages of national schools. The best desks, however, become a very serious evil if the teachers do not use them with judgment, or if a space equal to the area covered by each group of desks is not reserved in the neighbourhood of each, in order to enable the teacher to march the children out of them for occasional standing lessons, which should, if possible, alternate with the sedentary. It is beyond the power of most teachers to keep children from lolling about, while

while they have one support in front to tempt the knees, and another behind ready to receive lazy shoulders, when for standing lessons they get off their seats, as they are generally made to do, and stand between them and the desk behind; but a still worse form of this evil is to be met with in some ill-constructed groups, where the forms are placed at a medium distance from the desks, so that they may be close enough for sitting upon, and at the same time may leave a (very scanty) standing room before the forms between them and the desks; the object of which compromise is that the children may be able to stand or sit without leaving their places. In this case the children are too far from the desks for sitting lessons, and too near them to admit of their standing up to read, without being placed in a constrained attitude by trying to maintain a standing posture, while the body, seen from one side, is in the form of an S, the stool behind pressing against and preventing the straightening of the knee, and the desk in front making it necessary to stoop forward over it in order to keep a balance. I am inclined, for my own part, to think that children while in desks should always sit, and should be marched out on the open floor for reading or other oral lessons, during which they should stand with as much care as soldiers on parade, every movement of hand and foot being uniform, and part of an understood drill.

Discipline.

(2.) Discipline is far less likely to err on the side of excess than on that of defect in our national schools, as at present constituted. It is quite possible that it should be, as has been well said, "easy and free, without being free and easy;" but there is a decided tendency to the latter state of things, not sufficiently guarded against by managers or teachers, who are often possessed with the idea, that even the beginnings of discipline ought to be made "pleasant," and be unfelt by the children, forgetting that it can only become so ultimately by having been precise and strict, till use had made it sit easily. The freer and more unconstrained the children are in the play-ground the better, but the very name of relaxation out of school, implies a proportionate bracing of the energies and conscious effort to concentrate the mind, and make it do its work during school hours.

Progress in attainment.

(3.) As to the attainments of children, I have no hesitation in saying that schools in this district have made decided progress; and this progress has been in the direction of solid, rather than showy acquirement, partly from increasing experience, and juster views on the part of the teachers, and partly, I venture to hope, under the pressure of systematic discouragement of the latter kind of acquirement, and appreciation of the former on the part of Her Majesty's Inspectors.

Writing.

Writing is receiving much attention, and this, the most mechanical of the elementary subjects taught in our schools, may be expected to reach a certain definite standard of excellence. In girls' schools there is a danger apparently of the handwriting becoming too sharp and angular, in straining after an imaginary "gentility" and "elegance."* It would involve some additional expense, but the outlay would be well repaid, if the dictation lessons were more frequently done on paper, and, if possible, with quill pens. Slate writing has a tendency to make the learner neglect to discriminate between the relative strength and thickness of his up-strokes and down-strokes, and leads inevitably to the production of blotted and disfigured exercises when the writer is called upon subsequently to deal with a material which does not admit of easy and frequent erasing.

Arithmetic.

Arithmetic is not yet satisfactorily taught in the majority of schools with which I am best acquainted. The inspector's aim must be to put a drag on the wheel. Teachers are apt to go too fast, as may easily be understood, when the irksomeness of teaching first steps is considered; and I believe that most theoretical educationists also are in the habit of expecting the children to be acquainted with more advanced rules in arithmetic than are proportioned to the progress demanded in other subjects at the same age and with the same opportunities. To be thoroughly master of the four first rules, simple and compound, so as to give a reason for every step (including, of course, the important preliminaries of numeration and notation), is no small credit to a boy even at the time he has to leave off daily schooling. The real difficulty lies in teaching the elements, first, of course, because of the unfamiliarity to the learner of a new and untried subject, but chiefly because they are themselves absolutely harder to master, and make a demand upon higher faculties than such rules, for instance, as simple proportion, which, both under the old system and the new, is little more than a mechanical application of what they have learned in the lower classes and earlier stages.

Reading.

To teach children to read easily and fluently, with distinct articulation and correct expression, is perhaps the greatest triumph over difficulties that an elementary teacher can achieve; the last perfection of secular elementary teaching, the "roof and crown of things;" and there could be no greater mistake than to suppose that good reading can be got by perpetual grinding at primers, or at scraps from popular treatises on scientific subjects, without comment on the subject-matter by the teacher, or any collateral instruction in parsing and syntax. Success in reading is the sum of many excellencies: it involves skilful previous training of the organs of speech, a general notion of the structure of sentences,

* This is a tendency very much to be deprecated, but it appears to receive direct encouragement from that one of the series of copy-books most in use in schools, namely, Darnell's, the 22d, 23d, and 24th stages of which are intended, as we are told on the cover, to teach "ladies angular handwriting," about as mischievous a folly, in my judgment, as it is within the reach of framers of copy-books to propagate.

Appendix (A).

tences, and a careful antecedent cultivation of the intelligence, and, to a certain extent, of the taste and feelings also. Girls, in general, are capable of being taught to read more agreeably than boys. I have nowhere heard such good reading as in a girls' school in Berkshire, than which none in my district bears a higher character for instruction in what are called the higher subjects. The clergyman, who is also the acting manager, is rather deaf, and the girls, who are frequently heard by him without book, are obliged to read with unusual clearness and distinctness of tone and of articulation, in order that he may not lose a word. Without detracting from the merit of a very skilful and painstaking mistress, I must say that it struck me that the pleasure (for in this case it was really something more than freedom from pain) with which I listened to the girls' reading, was, in great measure, attributable to the fact of their ordinarily having to make what they read intelligible to one who could not hear so well as myself.

I subjoin an extract from a letter which I have just received from my colleague, the Rev. T. W. Nutt, which is interesting as a record of first impressions on coming to the work of inspection.

I have, &c.
Wm. Warburton.

To the Right Honourable
The Lords of the Committee of Council on Education.

Extract referred to in foregoing Report.

"During the past year I have visited schools scattered over each of the three counties comprised in your district, and have thus been able to gain a fair idea of the general state of education in it. This may, I think, be considered to be on the whole very satisfactory; the discipline of the schools is good, the work, both secular and religious, and the sewing of the girls, are very creditably done. I have not found it to be the case that the reading, writing, and arithmetic have suffered from too much time and attention having been bestowed on geography, history, and grammar; the latter subjects, as far as my experience goes, are taught (and in many cases very well) without prejudice to the former. During the spring of 1861 I was able to visit several schools not in the receipt of annual grants. In some of these I found the children to be almost absolutely ignorant; others were fairly conducted, although the teachers were generally wanting in method. On the whole there was a marked difference between these and the schools subject to an annual inspection.

"I have also during the past year visited several night schools. In most of these the work appeared to be well and steadily carried on. A considerable number of these were, to their regret, unable to avail themselves of the assistance offered by the Committee of Council. The scholars were often too poor to be able to pay the 3 *s.* each which would entitle the school to a capitation grant on their account; and in all but a very few instances, it was found to be an impossibility to raise the 5 *l.* in school-pence, which would be met with an equal sum by the Committee of Council for the payment of a master."

General Report for the Year 1862, by Her Majesty's Inspector, *Matthew Arnold*, Esq., M.A., on the British and other Schools not connected with the Church of England, inspected by him in the Counties of *Berks*, *Bucks*, *Essex*, *Herts*, *Kent*, *Middlesex*, and *Oxford*.

My Lords, London, January 1863.

The Royal Commissioners for inquiring into the state of popular education in England did me the honour to controvert, in their Report, an opinion which I had expressed, that inspection made without previous notice was a better instrument for testing schools than inspection of which notice was given beforehand. That opinion I had given without developing it or fortifying it by arguments, because its truth seemed to me self-evident. It seemed to me evident, also, that if the State-inspection of schools was conducted in this country with previous notice to the schools to be inspected, that mode of conducting it was due not to a recognition of its intrinsic propriety, but to circumstances which had imposed it upon the State as a condition of the inspector's admission to schools. At the present moment, when the New Code makes the continuance of the system of inspection with previous notice an undeniable necessity, when, therefore, to insist on the defects of that system cannot be supposed to threaten its discontinuance, I may be permitted to point out what those defects were, in order to make school-managers see clearly in what particulars their supervision must supplement that of the State.

I have often remarked on the dirty condition of English school-rooms, especially in large towns. Where the school-room is dirty the scholars are generally dirty too; at any rate, the sight of a dirty and ill-kept school-room is a bad practical lesson for the children of the poor of our large towns, as the sight of a clean and well-kept school-room is in itself a good practical lesson of no mean importance for them. It is obvious that the cleanliness, neatness, and wholesomeness of school-rooms are just the matters which inspection can most certainly ascertain, whatever doubts may be thrown upon its power of certainly testing the behaviour

behaviour and instruction of scholars. This humble but useful function of inspection our inspection has never been able duly to perform, in a country whose schools, for the poor particularly, need the due performance of it. The stipulation requiring a week's notice to be given of the day of the Inspector's visit has made its due performance impossible. In a week wonders may be done in the way of washing, cleaning, and renovating school-rooms; and then, on the appointed inspection-day, the children are presented clean and renovated, as well as the school-room. If, even under these circumstances, the dirt and untidiness of English public school-rooms and their scholars has too frequently forced itself upon the notice of the Inspector, what would it have been could he have seen things in their common every-day condition? His complaints would have been much graver, and the reforms operated would have been more considerable. Appendix (A).

It has lately been alleged, as an argument for retaining the certificate test, that this test supplies convenient means for getting rid of teachers of immoral and drunken habits, whose misconduct the Inspector can, from what he sees on the examination-day, suspect but not prove. It may be doubted, perhaps, whether the means so supplied can be regarded as very certain or very satisfactory in their operation; at any rate, means far more certain and far more satisfactory are to be found in a system of inspection without notice, which takes a teacher unawares, and may afford to the Inspector surer indications of his habitual practices than those given by his breath or by his complexion.

It is, of course, a teacher's great desire to have his school well in hand on the examination-day, to be able to exhibit its discipline and its instruction to the best advantage. Even under the present system, when a teacher may make all his preparations beforehand, he is always prone, if there is any failure, to allege some circumstance, other than a real defect in his scholars' discipline or instruction, to account for it. But it is obvious that the very system which may be supposed to have been invented for his protection and benefit itself creates difficulties for him. In consequence of the Inspector's notice of his visit, and in obedience to his invitation, a number of people are gathered together in the schoolroom to meet him; and children, whose attention is always easily distracted, and who often have gone through the whole year with hardly the sight of a single visitor, have, on the very day when it is most important they should be composed and able to do themselves justice, the presence of an audience to agitate them, as well as the presence of the Inspector. I have repeatedly remarked the perturbation occasioned to the discipline and to the regular working of the school by this cause. Then a number of irregular attendants, some of them long absentees, have generally been mustered, to secure the object so dear to every teacher's heart—a full school on the inspection-day; and his classes are thus encumbered with a considerable accession of scholars not inured to school-habits, which exposes him to the danger of having injustice done to the real discipline of his school, and not freshly practised in school-learning, which exposes him to the danger of having injustice done to its real instruction.

Some of the disadvantages of a system of inspection with previous notice have a different degree of importance in different schools: for instance, the disadvantage of a comparatively ineffective State-supervision is of less importance when the school has a local supervision which is close and stringent than when it has a local supervision which is slight and inattentive. Many managers of British and Wesleyan schools will themselves confess that, in the clergyman's supervision of the National School the State has a guarantee which is (perhaps inevitably) often wanting in that of their own. But others of these disadvantages are inherent in the system, and in all schools alike follow necessarily its operation. The Royal Commissioners say that the facility for preparation is the same for all schools, and that therefore no school gets an unfair advantage by it. This may be true, but if it is a Government's object to learn, through its Inspectors, the condition of aided schools, as it really is, it can be no great satisfaction to it to know that it gets an equally false impression of that of all of them; nor are the impediments to a satisfactory examination presented by an exceptional state of numbers, discipline, and instruction less real because they are presented in all schools alike. Of the administrative difficulties which the Royal Commissioners suggest as obstacles to the introduction of a system of inspection without notice, there is no one which is serious, or which has not already been overcome in organizing the inspection exercised by other departments. In truth, inspection with previous notice must appear, to all not familiar with the notion of it, an inspection strange and hardly conceivable; to foreign observers of our education it appears an inspection absolutely self-stultifying. Under the New Code, however, this inspection is to secure itself by obtaining the guarantee of results—by becoming an examination: for its employer, the State, its disadvantage may be assumed to be thus lessened greatly. Managers must bear in mind the disadvantage which, as already mentioned, it in several ways occasions to their teachers, and must do their best to guard against it.

School Books.

The inauguration of the New Code will be attended by the appearance of many new reading-books. There is so little reason to be satisfied with the majority of the old books, that this will be an unmixed advantage. Already cheap and well-printed school-editions of works really calculated to interest the scholar, and to train him to be a good reader, have been published, and in some schools are in use; and it may be hoped that several of the very worst among the old reading-books will now disappear from circulation. Good reading-books for children who have mastered letters and monosyllables, but who cannot yet read stories like "Robinson Crusoe," seem to me to be now the great desideratum. School-books.

Appendix (A).

Teachers.

Teachers.

The withdrawal of the Augmentation Grant has caused many teachers who were preparing for re-examination, with the design of obtaining a higher certificate, to cease their studies and abandon their design. I cannot regret any change which tends to bring our certificate nearer to what such a certificate, in my opinion, should be—a certificate of competency and not a certificate of comparative merit. The labour, however, which teachers of schools under my inspection were bestowing, in the hope of obtaining a higher certificate—labour which the acquisition of such a certificate would, as I think, have very unsatisfactorily rewarded—will not, I hope, be discontinued by them; but I hope it will be directed to a far better object (an object already attained by several of the ablest teachers in my district)—to the obtaining degrees from the London University. Distinctions of this kind, and not honours awarded upon our examinations, are, I am more and more convinced, the true certificates of intellectual merit for teachers. Their future is here; and here, too, lie the means of arriving at the chief prize which the future holds out to their body,—advancement, for the best of them, into the ranks of secondary instruction.

Social Condition of Children.

Social condition of children attending the schools.

I have often said that the social condition of the children frequenting the schools in my inspection is not, in general, that of the children frequenting national schools, but somewhat superior to it. In several it is such that the children could with ease have been brought to pay a higher school-fee than that permitted by our regulations; and the school-fee has been kept down in order to allow of continued connexion with us. In these schools it has been and will be a question whether they shall not now discontinue their connexion with the Committee of Council, and make up the loss occasioned by the cessation of our grants through increased school-fees, rather than encounter what seem to them the dangers and uncertainties of the New Code. I think, however, that few or none of them will decide to sever their connexion with us at present, but will wait to see the operation of the newly-introduced system. But they, in common with the managers of nearly all the urban schools under my inspection, express special alarm at the regulation withholding grants for children whose parents do not earn their subsistence by manual labour. The small dealers of our large towns contribute a very considerable proportion of the scholars of British and Wesleyan schools; and the small dealer of a poor quarter is in general a very needy personage, and in circumstances not by any means so good as those of a superior artisan. Some assurance that the regulation which seems to exclude from public aid children of this class, on whom it is impossible to levy a school-fee compensating for the loss of State aid, will not be enforced to the letter, would be, at the present moment, very welcome to the managers of British and Wesleyan schools.

I have, &c.

To the Right Honourable the Lords of the Committee of Council on Education.

(signed) *Matthew Arnold.*

No. 1.

General Report, for the year 1862, by Her Majesty's Inspector (the Rev. *H. L. Jones*, M. A.), on the Church of England Schools inspected in *Wales*.

My Lords,

I have the honour of transmitting my General Report for the year (29th August 1861 to 29th August 1862), and in so doing beg leave to observe that I confine it to the bare statement of certain facts, as well as to the representations made to me by school-managers in various parts of my district. It will, therefore, be short rather than long; and in endeavouring to make it so, I conceive that I am acting up to the letter and the spirit of the instructions issued by your Lordships on the subject. In former years, when the nature of a Report appears not to have been so well understood as it is now, an Inspector was inclined to make many statements of his own opinions, to suggest improvements, and to go into details which are now considered to be irrelevant to the subject. Hence his report was always in danger of becoming long rather than short. Now, however, that your Lordships have laid down such clear instructions as to the general object of a report, I have conceived it to be my duty to frame mine on the following plan: First of all, at the proper time of the official year, to look over all my notes of schools inspected, to consider over again all their cases, and the decisions upon them; then to extract from them the most important general facts; and, lastly, to condense these into the smallest possible compass. Concurrently with this I have examined my memoranda of conversations with managers, and my correspondence with them, extracting from these in the same manner all facts and statements of importance; and then again submitting them to the condensing process, so as to bring them down to a residuum of the smallest possible magnitude. It afterwards remains for me to embody these *minima* in a brief connected report, from which your Lordships will order to be struck out whatever is deemed unsuitable, before it is considered fit to be printed at the public expense.

Assistant Inspector.

As I have done on previous occasions, so I beg leave on the present again to call your Lordships' attention to the most efficient and laborious manner in which my colleague, the Rev.

Rev. B. J. Binns, has aided me throughout the year. I consider myself under great obligations to that gentleman for his constant, cheerful, and judicious assistance; and I am always glad of an opportunity of testifying to this publicly. Appendix (A).

I now proceed to state, as briefly as possible, the main facts that my notes furnish me with, during the period mentioned above:—

Progress of schools in the several subjects of instruction.

1. Schools have made much intellectual progress, more attention has been paid to the ordinary and fundamental subjects of education, and the general work of instruction has been carried on more uniformly and more easily. I do not mean by this to say that I consider the lower subjects everywhere sufficiently well attended to; on the contrary, I know of numerous instances in which common reading ought to be, and might have been, much better taught. I have observed, pretty generally, arithmetic confined to copying sums from the black board, and the method of giving them out by dictation, that is of proceeding on the principle of correct numeration, most commonly neglected. In writing, I still generally find a contracted, deformed, and niggling "small hand" taught even to the lower classes in schools, and taught very poorly. I believe your Lordships will not object to my terming these faults of instruction; but notwithstanding their existence, I repeat what I have said above, that much general improvement has been made during the school year. It would be easy for me to dilate upon the excuses alleged by teachers and managers, on the causes which in my opinion are at the bottom of this state of things, and on the remedies which I would suggest; but as these would fall under the head of abstract opinions instead of facts, I conceive that I had better abstain from attempting to say anything further, after indicating their existence.

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Attendance of children.

2. The attendance of children at school is, I believe, on the whole more regular; but the age at which they leave school is, I also believe, rather earlier, on the average, than what it was the year before. The chief cause of the former is the improved state of the schools themselves; of the latter, the increased facilities for juvenile labour, and the corresponding increased desire of parents and children to add to the family earnings. The opinions and the advice of experienced managers on this subject and, of course, my own opinions and observations I omit, as not being required by the nature of my report, and as likely to extend to an indefinite and inconvenient length.

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School fees.

3. School payments, as I am informed by managers, continue to be made with regularity, and in several districts a tendency to raise the scale of payments has been favourably received by the parents. Several experienced managers have informed us that they still think the time will come when schools may be made much more nearly self-supporting than they are now, if not entirely so. They have also expressed the opinion that this ought to be looked forward to as the normal financial condition of all schools; so that the necessity for public and especially Parliamentary aid may be altogether done away with, or, at least, greatly reduced. If I might be allowed to express my own opinion upon this subject, I should say that I entirely coincide in what the managers I refer to have stated.

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On the other hand, a much larger class of managers have expressed to me their convictions of a very opposite nature; and they have declared that unless Parliamentary aid can be procured for small rural schools, to supplement and render efficient the efforts of local subscribers and the means of parents, and that, too, upon much easier conditions than any with which they have yet been acquainted, such schools must sink in efficiency, if not be entirely closed.

School buildings.

4. The condition of school buildings remains the same as I have stated in my reports for several years past. I see no improvements introduced, while the faults previously signalised and proved are retained in old buildings, and reproduced in new ones, with almost undeviating pertinacity. Your Lordships will, I trust, pardon me for saying that my experience leads me to adopt decidedly the opinion of a very small minority of school managers, that it would be a most useful saving to the State if from henceforth all building grants, of what kind soever, for schools were entirely abolished.

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Teachers.

5. I come now to the teachers of schools, and should be inclined to say much concerning them; but during the former part of 1862, and up to the date of the termination of this Report, the Revised Code has been under Parliamentary discussion, and this has produced a state of feeling among teachers of all classes which prevents me from reporting on the subject. I have been met with opinions and declarations from all quarters, and they are of such a peculiarly painful nature that I feel it would be of no use my attempting to give any summary of them in my Report.

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One circumstance, however, connected with pupil-teachers I may mention, as being a fact the existence of which will become patent by the official returns of another year or two, that very few candidates now come forward to offer themselves for admission; and I am given to understand that, according to present appearances, the supply of pupil-teachers may shortly be expected to cease. This is further confirmed by facts slightly posterior to the actual period within which this Report is confined.

6. School managers generally have also made observations to me upon the Revised Code, but I consider that I am best discharging my duty to your Lordships by remaining perfectly silent on the subject.

Special schools.

7. I beg leave once more to report that, taken as a general fact, schools of household work for girls, schools of farming or gardening for boys, and schools of art, have proved failures in Wales. There are a few exceptions to the contrary, but they are exceedingly few.

Appendix (A).

few. I am not myself at all surprised at the result; and I coincide in opinion with some practical friends of education, that the less money wasted upon such abortive attempts the better, at least, in such a peculiar district as the Principality.

Night schools.

8. Night schools are supported with great difficulty in Wales, and that, too, only during three or four months of dead winter time. I regret the circumstance personally, for I think night schools, if properly conducted, are rather good things, the same as Sunday schools; but I agree with many school managers in not expecting any other than very desultory results from their existence, and in considering it doubtful whether the money spent on them is not almost entirely thrown away.

Infant schools.

9. Infant schools, and the junior classes of ordinary schools, do not as yet seem to excite the attention of school managers to the extent they ought; the younger children in most mixed schools are still sadly neglected; the principal teachers do not give them, in general, a fair share of time and attention; and wherever there is no class-room, nor any sufficiently qualified teacher to look after the infants, the progress of the whole school is greatly impeded. I have made such repeated observations upon this subject to managers and teachers during so many years, but with so little effect, that I feel inclined for the future to pass the matter by in silence.

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There are several notable examples, however, of admirable infant schools in Wales; and I beg leave to name that of Conway, as realising, in my opinion, more than any other similar institution I ever saw, all the highest and best requisites and results connected with infant teaching. The schoolmistress is the best infant teacher in my district, admirably fitted for her duties in every respect, and deserving of the greater credit because she is not certificated, though she is aided by pupil-teachers.

Reading lesson books.

10. The supply of reading books still continues to be inadequate in a great number of schools; that is to say, only one set of books is supplied for each class, this set remaining in use, probably, two or three years; and the tedium or disgust occasioned by this in the minds of the children is one of the causes why good reading is not more general. It seems to me that at least two sets, and, if possible, three, should be furnished to each class, as several able managers and teachers have not only pointed out to me, but have actually caused to be obtained. And I would go still further, sharing in this the opinions of the same persons, that what are called the "Irish Reading Books" should be removed from all schools as soon as circumstances will permit; they may have done good service in their day, but at present they may fairly compete with Vyse's Spelling Book, Walkingham's Arithmetic, and the old History of England of the Society for Promoting Christian Knowledge, as being the worst educational books still clogging the market.

I conceive that managers would do well not only to spend more money than they do upon school-books and school apparatus, but also to encourage the older classes in schools to purchase books for themselves, and to require, as is done in some excellent schools, that each of the children in the first two classes should possess and be answerable for his own small educational kit.

Home lessons.

11. The practice of giving out "home lessons" is becoming much more general than heretofore, and almost all managers agree in looking upon this system as one of the most valuable parts of juvenile education, an opinion in which I altogether coincide.

I have, &c.
(signed) *H. Longueville Jones.*

To the Right Honourable the Lords
of the Committee of Council on Education.

Copy of Memorandum endorsed on foregoing Report.

This Report appears to me to have much that is inconsistent with the Minute of 31st January 1861; and the tone of it is not that of an officer who is anxious cordially to co-operate with his official chief.

2 February 1863. (signed) *G.*

No. 2.

General Report, for the Year 1862, by Her Majesty's Inspector (the Rev. *H. L. Jones*, M.A.), on the Church of England Schools inspected in *Wales*.

My Lords,

I have the honour of transmitting my General Report for the year (31st August 1861 to 31st August 1862), and in so doing beg leave to observe that I am endeavouring to follow out strictly the instructions given in the late circular on this subject, by confining my remarks to the actual general state of schools in my district, and to practical suggestions for their improvement.

As I have done on previous occasions, so I am desirous on the present, of again calling your Lordships' attention to the efficient and laborious manner in which my colleague, the Rev. B. J. Binns, has aided me throughout the year. I consider myself under great obligations to that gentleman for his constant, cheerful, and judicious assistance; and I am always glad of an opportunity of testifying to this publicly.

Schools

Schools have made much intellectual progress, more attention has been paid to the ordinary and fundamental subjects of instruction, and the general work of education has been carried on more uniformly and more easily. I do not mean by this that I consider the lower subjects everywhere sufficiently well attended to; on the contrary, I know of numerous instances in which common reading ought to be, and might have been, much better taught. I have observed pretty generally arithmetic confined to copying sums from the black-board, and the method of giving them out by dictation, that is, of proceeding on the principles of correct numeration, most commonly neglected; while in writing I still generally find a contracted and deformed "small hand" still taught, even to the younger children in schools otherwise good. I consider all these are faults of instruction, and I attribute their origin to the imperfect training and deficient practical experience of the teachers.

The attendance of children at school is, I believe, on the whole more regular; but the age at which they leave is, I also believe, rather earlier on the average than in previous years. It seems to me that the chief causes of this circumstance are (1) the improved condition of the schools, whereby more progress is now made in a given time than formerly; (2), the increased facilities for the profitable employment of juvenile labour.

School payments, as I am informed by managers, continue to be made with regularity, and, in several districts, a tendency to raise the scale of payments has been favourably received by parents. I coincide with the opinion and hope of several experienced managers, that the time will come when State-aid for schools may be entirely dispensed with, and these institutions may be supported by their own resources without any public assistance or interference.

The condition of school-buildings remains the same as I have mentioned in my Reports for several years, and, in respect of them, I again share in the convictions of some thoughtful friends of education in my district, that the sooner all building-grants are abolished the better for the interests of the schools themselves, as well as for those of the public in general.

Teachers are in a state of great disquietude, on account of the approaching introduction of the New Code; and the supply of candidates for apprenticeship appears to be undergoing a total change, the full nature and extent of which cannot as yet be appreciated.

Night-schools, generally, have not met with any great success in my district; and the same has been the case with industrial schools, and schools of art. Navigation schools continue in the same state of public neglect and private energy; but infant schools are rather better understood and valued, though not in a degree commensurate with their real importance. There are, indeed, several notable examples of admirable infant-schools in Wales, but I beg leave to name that of Conway, as realising, more than any other, the best and highest requisites connected with infant instruction. The schoolmistress is the best infant teacher in my district, thoroughly well fitted for her duties in every respect, and deserving of the greater credit because she is not certificated, though she is aided by pupil-teachers.

The supply of reading-books still continues to be inadequate in a great number of schools, that is to say, only one set of books is supplied for each class, this set remaining in use probably two or three years; and the tedium or disgust created by this in the minds of the children is one of the causes why good reading is not more prevalent. It seems to me that *at least two sets*, and if possible three, should be furnished to each class, care being taken at the same time to weed out of schools such inefficient instruments of instruction as the Irish Reading Books, and other obsolete series, which should be replaced by the newer and far better works now rapidly issuing from the Scotch and other presses. I conceive, too, that managers would do well, not only to spend more money on books and apparatus, but also to encourage the older children in schools to purchase books for themselves; so that, in fact, they might each become possessed of, and be held answerable for, a small educational kit.

I am, &c.
(signed) *H. Longueville Jones.*

To the Right Honourable the Lords of the Committee of Council on Education.

General Report for the Year 1862, by Her Majesty's Inspector, the Rev. *G. R. Moncreiff*, M.A., on the Church of England Schools inspected in the counties of *Cumberland, Durham, Northumberland,* and *Westmorland.*

My Lords,

The work of this district has been twice interrupted during the year now to be reported on; by my own illness in November 1861, and again by Mr. Fearon's in March and April 1862. In the former instance, Mr. Fearon's exertions prevented any serious arrear. In the latter, your Lordships kindly permitted me to obtain the aid of my colleague, Mr. Wilkinson, to whom the district is greatly indebted for his willing and indefatigable assistance.

Changes in the District.

Under this head, I have very little to report; the year has been one of anxiety and expectation, rather than of progress.

Appendix (A).

New Schools.

The following is, I believe, a complete list of schools inspected for the first time :—

Table I.

Northumberland.	Durham.	Cumberland.	Westmorland.
Morpeth (Girls).	Gateshead (Girls).	Melmerby.	—
Blyth (Boys).	Durham, St. Margarets (Girls).	Westward.	—
Backworth.	Greatham (Girls).		—
3.	3.	2.	—

To these might be added, as opened within the year, though not inspected till November 1862, the new " free schools " at Workington ; the most important addition recently made to the educational appliances of Cumberland.

New Buildings.

I gave a list two years ago, of schools in which the buildings were considered unsuitable, including 10 which were absolutely bad, and 12 needing enlargement. Of the 10, I have now to report that four have been rebuilt, viz. :—

Ford.
Lameslay.
Kendal, Highgate.
Firbank.

One, viz., Walbottle, has been removed from inspection; the others remain as they were, viz. :—

Newbottle.
Washington Chemical Works.
Dalston.
Staveley.
Clifton (Westmorland).

Three of these are the property of private owners:—

Newbottle, of the Earl of Durham.
Washington, of the Chemical Company.
Clifton, of the Earl of Lonsdale.

A new building is promised for Newbottle, but has not up to the present time (January 1863,) been commenced.

The new buildings are all good; two of them excellent. Ford is perhaps the handsomest, and Lamesley the most commodious in the district. With these should be mentioned the new rooms for Wearmouth Colliery Schools, which would be all but perfect, had a little more space been allowed for the infants. All these have been erected by the respective owners (the Marchioness of Waterford, Lord Ravensworth, and the Wearmouth Colliery Company) without Government aid. Kendal-Highgate school-rooms, or rather the new rooms in Kirkdale, to replace the temporary accommodation in Highgate, are remarkably well planned and finished, under the superintendence of the vicar. Firbank is a very creditable erection, in a small and poor Westmorland parish.

Enlargement.

Of the 12 schools reported as too small, the following have been enlarged, in most cases by the addition of class-rooms, viz.

Newcastle, St. John's.
Matfen.
Escomb and Witton Iron Works.
Stanwix (Girls).
Carlisle Shaddon Works.
Yarmouth.

This, I think, is all that we have to boast of this year, in the way of material progress.

Influence of Revised Code.

I have said above, that the year has been one of expectation rather than of progress. And it is hardly possible to review this period without recognising the fact, that every one has been looking forward with fear rather than with hope, and rather struggling to preserve what has been gained, than taking fresh steps in advance. As I have as yet little or no experience in working the Revised Code, I shall carefully confine myself to those points in which its influence is already felt by anticipation.

Elementary Subjects.

1. After reading over my remarks of last year, I see no reason either to modify or to add to them. With hardly an exception, elementary subjects continue to receive their full share of attention, and an increasing proportion of time. The average results are, substantially, the same as before. Having already endeavoured to show that these subjects

jects have been in no degree neglected, I have no occasion to return to the question; but I am glad to take this opportunity of quoting the deliberate judgment of Mr. Forster, late Assistant Commissioner for the northern counties. In a letter addressed by that gentleman to a newspaper, he gives an account of the mode in which he pursued his investigations, and concludes in these words, or words to this effect: "I neither gave, nor could honestly have given, any ground whatever for the charge brought against inspected schools, of having neglected elementary subjects." I quote from memory. The exact words are, I believe, rather stronger. As far, therefore, as this district is concerned, I hope I may assume that the allegation of neglect is withdrawn, or, rather, that it has never been made by anyone in a position to form an opinion. The Revised Code, or the expectation of it, has not as yet had any perceptible influence in improving this portion of the teaching. Appendix (A).

2. Under the head elementary subjects, needlework deserves special consideration. It is, I think, rather unfortunate that no place has been found for it in the individual examination under the Revised Code. If it be thought, as it fairly may, that inspectors have neither time nor aptitude for passing judgment, by which grants are to be allowed or refused, or large numbers of specimens of needlework, it might, I should think, be found possible to provide a standing committee of female examiners at no very alarming cost. It certainly seems anomalous that a school should lose by the incorrectness of a girl's arithmetic, but gain nothing for the neatness of her sewing. If the stimulus of the individual examination is found as strong as is expected, it is reasonable to suppose that needlework must suffer from its absence. It is in this district at least, of all subjects that which most needs the stimulus. On needlework in general, I have not much to add to my remarks three years ago (Minutes for 1859–60, pp. 148, 149). The opinion there expressed has been strengthening ever since, viz., that the grand defect is the want of well-defined systems of teaching, and firmness in enforcing them. I hear often of the difficulty —some call it the impossibility—of offending parents' prejudices, and interfering with their convenience. But I do not know of even a single case of failure in a well-devised attempt to balance the considerable number of cases in which such attempts have succeeded. "Where there is a will" in this matter, backed by some tact, much patience, and some courage, I believe "there is a way." On the whole, however, there is improvement, generally slow, in a few instances striking. Among the few I may be allowed to notice the Female School, Carlisle, which now ranks among the best in the district. Needlework.

3. The Revised Code is telling already on the higher instruction in many schools. I do not know how the matter will stand in the statistical summaries. The difference will probably not be so clearly marked as it is in reality. For geography at least, and not unfrequently history and grammar, still hold their place in the time-table, when the time bestowed on them, and the amount taught, have been so greatly reduced, as to make the instruction little more than nominal. My advice to teachers on this point has been varied according to the character of the school, and has been in every case cautiously worded. I could not, in this year of transition, take the responsibility of urging a teacher to spend time on subjects pecuniarily unprofitable. But I cannot help attempting, in this place, to lay down what I think the sound principles which should determine a teacher's course. Let it be assumed as certain, that these subjects can never again be so prominent as they have sometimes been in inspectors' examinations; that even their total absence from the list of subjects taught will be no bar to the schools receiving the full grant. Let it be also admitted—as, for the present, at least, I fear it must—that, in drawing up his programme, the teacher must look chiefly, if not exclusively, to what will pay; but let it, on the other hand, be borne in mind that, as I have elsewhere urged at some length (Minutes for 1861–62, pp. 117, 118) no part of our instruction can be called sound, unless the minds of the children are in some degree trained to think; it follows, I conceive, that if an intelligent teacher ask himself the question, "How much time shall I allow, and to which classes, for grammar, geography, history, and higher rules of arithmetic?" his answer should be something like this: "First, I am free to judge for myself; on this one point I have not to consider what the inspector may think, but what I think desirable for these children. Secondly, are these children, or how many of them are, fit to receive such instruction intelligently, so that it may have the effect of opening their minds? Thirdly, what amount of time will be sufficeint to enable such teaching to tell? Fourthly, can this amount of time be spared from the other occupations of these particular children, and from the general work of the school? Lastly, if not, how far can the deficiency be supplied by occasional teaching introduced into other lessons?" It is evident, that these questions admit of replies varying indefinitely according to the varying wants of the school, as well as the temperament and views of the teacher. My object is not to answer them, but to suggest the duty of considering them, and to remind teachers that the matter is very far from being settled, when it is admitted that higher subjects will not directly tell on the individual examination, or on the grant from your Lordships. My impression is that, in most schools, the proper conclusion would be to confine the direct teaching of these subjects to upper classes, and to a moderate portion of time; but to introduce, very frequently, in the course of elementary lessons, illustrations drawn from grammar and geography. History, of course, can be still more directly combined with the reading leasson. Higher Subjects.

4. Let me say a word in favour of grammar, the least popular and the least successful of Grammar.

Appendix (A).

of the three. Economy of time being now so important, I cannot see why we should not attempt to combine elementary notions of grammar with the earliest lessons on spelling and writing. We teach young children to copy words from the black board. Give, them, then, day after day, names only; accustom them to look for names, to suggest names, to speak of them as names, till the idea of a name becomes familiar. Then give them, in the same way, a string of words of quality; let them suggest words which tell "what sort." By degrees, mix the two classes of words, spending no time in questioning, but simply accustoming the children to the distinction. Then introduce words of action, &c., &c. The elementary ideas would be, to a great extent, received, before the children had ever heard the terms, "noun," "adjective," "verb." Much time would be saved afterwards; and there might be some hope of the upper classes getting beyond the mere framework of technical terms, to the substance of grammar, properly so called.

Classification under R. C.

5. A question of much interest, even now, is the classification of a school for the next inspection. The instruction for the coming or current year (in autumn schools), will be materially affected by the views of teachers and managers as to its classification on that occasion. I am very glad that your Lordships, by recent explanations, have made it clear that the examination is, from the very first, to be a reality, *i.e.*, that every child is, as a rule, to be presented in the "standard," corresponding to his actual attainments. There are, no doubt, obvious anomalies, insuperable, probably, from the first introduction of a new system. It is plain, for example, that provided the general standard is high enough to escape censure for "faults of instruction," a school will, in the long-run, receive more money from Government by keeping back than by pushing, in the first year, the knowledge of its cleverer children.* Or, again, in the case of schools where the stipends of pupil teachers will absorb the entire attainable grant, it is equally clear that the direct pecuniary interest is all on the side of moderate attainments for the present.† I refer boldly to such openings for what I will call "dexterity" in the handling of a school, because on the one hand, I do not think it likely they would escape the notice of teachers; while, on the other hand, I have no fear of their being embraced. Whatever vague ideas may have been suggested by the first reading of the code, I am sure that when it comes to real working all teachers will feel that the only sound course is the straightforward one, to teach their schools as well as they can, and meet the inspector with a true statement of the real proficiency of their scholars. The very best course, I believe, would be to put the details of the "standard" out of view, and teach their classes as heretofore, to the best of their ability and judgment. Next to this, the best (when possible) seems to be, to make the "standards" of examination the actual standards of admission into classes; *i.e.*, to admit a boy into the first class so soon as he was fit to be instructed in the subjects for examination in the highest standard the school is expected to reach; into the 2d class, when fit for the next standard, and so on. In either of these ways, the work will be thoroughly honest. Should it turn out (as to some extent I think it may) that a very energetic and skilful teacher may lose money for his school in the first two or three years by his very energy and skill, as compared with his less capable neighbour, it will be sufficient consolation to know that honest work is never wasted; the deepest rooted plant is, in the long-run, the firmest and the most long lived.

See 12ª.

Details of Examination.

6. It may be convenient, if I state here the course I mean to pursue in inspections under the revised code. It will be subject to modification, my experience being as yet of the very smallest; but the following is my present view of the best mode of securing the three essential points; individual examination, full inspection, and economy of time.

(*a*). The school should be arranged in the usual classes, but with these special precautions, viz: the children, in each class who are not entered on the examination schedule, should be seated in the back rows, so that all who are to be examined shall be together; and if in any class there are younger children, to be examined in a lower group (see letter from Council office to managers of St. John's, Worcester), they should sit together, at the end of the front and middle desks, ready to be transferred, on a moment's notice, to the group in which they are to be examined.

(*b*). The candidates should always be seated exactly in the same order in which their names appear on the schedule.

(*c*). My first business, in every case, will be, to observe the general routine, and to form my opinion of the different teachers. In a large school, with many teachers, I should sometimes spend a whole morning in this manner; in smaller schools, I should consider about

* Suppose, for example, that three months before an examination, there are 12 boys now rather beyond the mark of standard III., who could obviously be brought up to standard IV.: should they be taught accordingly, and passed under that standard, the teacher incurs a twofold risk; (1.) they may, by illness, or otherwise, be prevented from reaching standard V. next year. (2.) They may pass standards V. and VI. in due course, and remain another year without profit to the school. Whereas, if he keeps them for three months, in one of the three subjects (say arithmetic) at the same point where they are, he passes them for standard III. without any imputation of "packing," has them, as it were, safe for next year at standard IV., and can depend on them as money-earners for three years longer, instead of two, if they continue so long in school.

† I refer to such a case as this: a real one, though an extreme one; a very fair school, whose utmost possible earnings under Revised Code are estimated at about 85*l*. There are four pupil teachers in their fifth year, whose stipends, with gratuity to master, will reach 95*l*.

about an hour to be the average allowance. On my first entrance, I wish to find the school in full working order, according to time-table, and to see it proceeding just as usual, without reference to the inspector's presence. Appendix, (A).

(*d*). In the course of this general survey, I may probably examine one or more classes in scripture and catechism. The others will be examined immediately afterwards, before proceeding to individual examination.

(*e*). We now come to the moment for "transformation." At a word from the teacher, all changes should be at once effected, and classes be, in a minute or so, transformed into groups or "standards." Any children under six will be dismissed; books, slates, chalk, &c., will be placed in readiness for each group; and in not more than five minutes at most, the school should be prepared for the individual examination.

(*f*). I shall not attempt to carry on the examination of more than one group at a time, with the exception of the arithmetic of standards II. and upwards. My first object will be, to dispose of standard I.; a somewhat tedious process, I fear. While it is going on, I must find other employment for the higher groups. In a girls' school, they should take needlework: in a boys,' if geography, grammar, or history, were taught, I should give them questions on the black-board to be answered in writing. Those who could not do this, should write in copy-books.

(*g*). After dismissing "standard I.," and examining the work done by the others, I should give out all the reading books, and hear each group in succession; those who are not entered on the schedule reading last.

(*h*). Next, will come "writing" for standards II. and III. The former can be set to work in a moment, and I should proceed at once to give out the dictation to the latter. Standards IV., V., VI., will, in the meantime (if so placed as to be under my eye), be working the "one sum" which is required as the test of their arithmetical knowledge.

(*i*). Then will follow arithmetic for II. III.; writing for IV.; standards V. and VI. in the meantime working a sum in a higher rule of arithmetic.

(*k*). V. and VI. in succession will write from dictation, and the great operation will be complete.

Of course some interval must be allowed; in many cases, more than one. I shall take them, when possible, between (*d*) and (*e*), or between (*f*) and (*g*).

7. There are one or two points in these details, on which I hope I may be permitted to remark. First, I very much doubt whether enough is gained to counterbalance the extra time, by requiring the report, as well as the examination, to be individual. If, indeed, the word "presented," in Article 46, means successfully presented, or "passed," I can then see that it is necessary to have an exact record of each child's performance. But, if "presented" is to be understood literally, the only things requisite are, a list of candidates, and a report of the numbers passed under each standard. I need hardly say that it would be a very much shorter process for the inspector, with (say) a group of 20 children before him, to note under each subject, how many satisfied him, than to have to attend, three times over, to the name of each child in turn. It makes a vast difference, also, in the amount of attention he can give to what is going on in other parts of the school. Suggestions: Names of Children passed.

Secondly, I do not see why writing from copy is excluded from the subjects of examination. I value very highly the exercise of writing from dictation, as a means of teaching spelling; but, for penmanship, it surely cannot be compared with the good old-fashioned copy-book. Moreover, as both spelling and writing will have to be considered in judging of this exercise, there will be no separate judgment passed on writing. Would it not be better to defer dictation to Standard III.? Good writing is rarer than it should be; and all encouragement should be given to that still rarer virtue, careful teaching to write. Writing from Copy.

One word more; there seems to me to be too great variety in the arithmetic for Standard I. Some part of what is required should be obtained from each candidate; but there is more than can well be done in reasonable time. Arithmetic for Standard I.

8. A considerable impulse has already been given to Infant Schools. The provisions of the Revised Code have enabled me, in several instances, to urge successfully the appointment of a separate certified teacher for infants, where they have hitherto been under the almost nominal superintendence of the mistress of the girls' school. Infant Schools.

9. There is a very general desire on the part of masters, to take advantage of your Lordship's repeal of the rule, which forbad those having charge of pupil teachers, without an assistant, to undertake the duties of an evening school. I confess I am not sorry that, by refusing (if I am rightly informed) to extend this permission to teachers in charge of pupil teachers, for whom the benefit of Article 54 is claimed, your Lordships have given to most of the older masters time for consideration, before they commit themselves to this extra work. My own feeling is in favour of the old restriction; but I am ready to admit that there are cases in which it was unnecessary, and in which they may safely avail themselves of the recent permission. Where a master has only one pupil teacher, quick, steady, and willing, his work is very light, and can be fully done, even if he undertakes, for three or four months, the charge of an evening school. But, if even the single pupil Night Schools.

Appendix (A).

teacher be dull, or backward, or idle, the master needs for his instruction all the energies he can spare from his regular school work. With every additional pupil teacher, the chances increase of his having to teach, and to work hard in teaching, if they are to pass creditably through their apprenticeship. Again, the kind of evening school has to be considered. If it consists of lads and young men, of fair elementary education, coming to improve themselves in one or two higher subjects, it may be possible to combine this with the instruction of pupil teachers. But if (as is far more usual) a large majority of the scholars are almost wholly uneducated, and have to be taught the rudiments of reading, writing, and arithmetic, the time of the teacher is wholly engrossed, and he cannot give anything like efficient superintendence to his pupil teachers. On the other hand, I am sure that he ought not, on the score of health, to undertake more than eight hours' teaching in the day. It is a temptation, no doubt, and on that augmentation grants are lost, to try to replace them by the profits of evening teaching. But they will be too dearly bought, if obtained at the expense either of health or of the day-school.

I do not wish to say a word in disparagement of evening schools. As subsidiary means of education, they are most valuable; but, as far as my experience goes, there is not the slightest hope of their supplying in any appreciable degree the gap left by the premature withdrawal of children from the day school. The number of night scholars is everywhere excessively small; and of that small number it is again a very small proportion, certainly not one in 10, who have joined the night school immediately after leaving a good day school. I generally question the younger boys as to their antecedents. The most usual result is, that they have left school two or three years ago, after reaching the third or fourth class; seldom higher, and have been employed ever since as errand-boys. The boys who leave our first classes seldom re-appear in the night school; their standard, low as it is, is sufficient for their ambition; or, it may be, they seek further instruction elsewhere, disliking the intermixture with the ruder and more ignorant class.

Still, I fully admit, much more may be done in this way than has been done; and I rejoice when I find masters of real energy and talent devoting themselves to this work. The two most creditable instances are, besides Messrs. Henderson's, of which I have formerly spoken, the Durham Blue Coat, under its present teacher, Mr. Deighton, and (perhaps still more) Darlington St. Cuthbert's, under Mr. King. Both these are second masters in their respective day schools. Next to these comes Carlisle Fawcett, under an untrained but very efficient teacher. There are not, at present, any others in the district which I could call really efficient.

Industrial Schools.

10. I wish that more help could be given to industrial schools for girls. The district is still, or was up to the date covered by this Report, without one, though I have reason to hope that I shall find next March a cooking class established at Berwick. I am surprised to find how difficult it is to induce ladies to enter heartily into any scheme for this object, or to admit it practically as an essential element in any real female education.

Financial Prospects.

Diminution of Grants.

The great question of the year has naturally been, to what extent the schools were likely to be affected financially by recent changes, and how far the loss so sustained could be supplied from other sources. As far as I can venture to look into probabilities, in so very uncertain a future, the loss will range from about 25 to about 40 per cent. on the previous grants in fair schools, with tolerably regular attendance and fair results; being unfortunately greatest proportionally in very small agricultural schools under masters, and in town schools maintaining two certificated (not "probationer") masters and a full staff of pupil teachers. In the latter case it may, perhaps, be fairly said that their funds from other sources ought to be capable of supporting the school, without the very large grants to which they have been accustomed. The former class will, I fear, be in many instances obliged to dispense with trained teachers. Two or three such cases have occurred already.

Loss to Managers and Teachers.

I have had many conversations with managers respecting their future financial arrangements. I find, in general, every disposition to do their best for the teachers, but the prospect is so uncertain that it is very seldom that they can hold out to them much hope of replacing their augmentations. In a few cases the school pence have been, or are to be, raised; in others, subscriptions may be increased, but scarcely ever to the extent required. The general result, so far as managers have faced the prospect, is this, that whatever is left of the grant, after paying pupil teachers, shall go, in whole or in large proportion, to the master or mistress, but that if it fall short of their augmentations (as it almost always will) nothing further can be done. There are many cases in which so much as this cannot be offered; the managers must have something in place of the old capitation grant. Or, again, in many poor schools, the capitation grant itself was part of the master's income, and will now be part of his loss. On the whole, the chief sufferers seem likely to be the more zealous of the country clergy, and, still more, the great body of the teachers.

Salaries.

This is not the place to discuss the much-vexed question of teachers' salaries, yet I cannot but express my feeling that to the great majority of them, all they had was hard-earned money, and that with less they will be underpaid, in proportion to their education and their work.

Pensions.

There is a thought which has often struck me, it is probably too late now, if it could ever

ever have been of use, to express it; but I will make the suggestion, even though it be to no purpose. It was obviously impossible in framing the Revised Code, to draw a line of distinction for annual grants between teachers certificated before 1861, and those certificated later, yet the claims of the former rested on very different grounds from those of the latter. I have thought that the difficulty might be met by reviving the dropped question of pensions, in this form: When a teacher certificated before January 1861, has reached by promotion the rank of first division of the First Class, he stops; the most favourable endorsements can carry him no higher; instead of this, after the next five years, revise the certificate as usual, and, if all is favourable, credit him with a deferred annuity of 10 *l.*, to begin at any time after he reaches the age of 50, 55, or 60, as may be thought best, on his retirement from the profession of schoolmaster. After another five years credit him (on the same conditions) with an additional 10 *l.*, and so on, till he reaches the age at which the pension might commence. In this way a very small outlay, for the class of pensioners would be very select, would go far to satisfy the best of the teachers, and though many might fail to reach the favoured class, yet, it being open to all, none could fairly complain. The special advantage of the plan would be that not a farthing could be wasted, the pensions being reserved for long service, approved from year to year as meritorious and successful.

Conclusion.

Subdivision of District.

Your Lordships have announced your intention, at some early period, to subdivide existing districts, and abolish the distinction between the offices of inspector and assistant inspector. I cannot dispute the wisdom of this resolution on public grounds, though I shall be sorry to lose Mr. Ferrand's able and cheerful co-operation, and shall have many personal regrets on separating from any part of my present district. I may be allowed to take leave by anticipation of the managers and teachers of whatever portion of it I may cease to visit officially, and to thank them for the cordiality of their welcome, and the friendly tone of all our intercourse.

Education has advanced more or less in all parts of the district since I knew it—in some very considerably. In 1855–6, I inspected schools; in 1861–2, Mr. Fearon, Mr. Wilkinson, and myself have inspected . The quality has advanced in yet greater proportion than the number.

Yet I have never swerved from my first belief, that no thorough education is possible, especially for the colliery districts, till we have compulsory legislation, in the form, or at least on the principle, of a half-time Act. The question has gone backward of late; the tide of educational zeal has ebbed, and neither from coal-owners nor coal-workers have we any pressure in the right direction. For a year or two, and perhaps longer, the reaction will probably continue, but, sooner or later, one of two alternatives will happen; either national interference with education will be abandoned as hopeless or indefensible, or it will be seen that the education of the mining poor needs and admits of the same protection that has been extended to factory workmen. Lancashire at this moment bears testimony to the moral power of education, and Lancashire education is very much the offspring of the half-time Act. I should be glad to hear the colliery district call with one voice for justice to Durham and Northumberland.

I have, &c.

To the Right Honourable the Lords of the Committee of Council on Education.

(signed) *G. R. Moncreiff.*

General Report for the Year 1862, by Her Majesty's Inspector, Rev. *F. Watkins*, B. D., on the Church of England Schools inspected in Yorkshire.

The work of the official year, ending 31st August 1862 will, perhaps, be seen here, by comparing it with that of the previous year, ending 31st August 1861. In that year my colleagues (Rev. J. W. Sharpe, and Rev. R. Temple), and myself, inspected 628 schools, consisting of 846 departments; the number of children examined was 79,760, *i.e.* 44,387 boys, and 35,373 girls. In the latter year we have inspected 584 schools, consisting of 822 departments, and containing on the day of examination 80,661 children, *i.e.* 45,905 males, 34,756 females. We have not, therefore, inspected so many schools, but we have examined nearly 900 more children, on the whole, I believe, more than were ever examined in any district in the course of a year. My own share of this work has been the inspection of 186 schools, containing 273 departments, and 26,117 children, besides the inspection of the two training schools, (the female training school twice) in Yorkshire; the revision of 1,316 examination papers, and 17 examinations of pupil-teachers and candidates; the number of these young people examined has been 1,445, *i.e.*, 763 males, and 682 females.

Appendix (A).

My time has been thus occupied:—

	Days.
Inspecting elementary schools	153
Inspecting normal schools	6½
Holding examination of pupil-teachers	17
Holding examination of candidates for certificates and Queen's scholars	8
Revising paper of pupil-teachers	12½
Revising paper of candidates for certificates	15
Travelling	2½
Writing general report	12½
Correspondence (district work)	54½
Vacation (including Christmas Day and Good Friday)	28½
Private business	3
Sundays	52
	365

Of the Schools which I have inspected, the return is this:

Of 273 Departments—

75 (or 27½ per cent.) were very good, or good.
165 (or 60½ per cent.) pretty good or fair.
33 (or 12 per cent.) moderate, or bad.

273

Mr. Sharpe has inspected 192 schools, containing 288 departments; of these he reports:

131 (or 45½ per cent.) very good, or good.
139 (or 48 per cent.) pretty good, or fair.
18 (or 6½ per cent.) moderate, or bad.

288

Mr. Temple makes his return in a rather different shape. He reports thus of 252 Departments.

	Doing their Work well.	Doing their Work fairly.	Doing their Work badly.	Total.
Boys	30	11	2	43
Mixed under master	52	56	21	129
Girls	19	13	4	36
Mixed under mistress	5	9	1	15
Infants	13	8	5	26
Night	-	3	-	3
	119	100	33	252

Or + 47 per cent.; 39 per cent., nearly + 13.

The result which we obtain on the whole of the Schools inspected this year is this:

40 per cent. are doing well.
49 per cent. are doing fairly.
11 per cent. are doing badly.

This time has been thus spent—

	Days.
Inspecting schools	188
Correspondence	52
Revising certificate papers	15
Holding examination for certificates and Queen's scholarship	8
Revising report of teachers' papers	8
Examinations of pupil-teachers	3
Vacation	37
Sundays, Christmas Day, and Good Friday	54
	365

School

School Children.

On the important points of school age and school stay, there is no difference worthy of emark between the last and the preceding year. In fact, no great difference can be reasonably expected. The actual return of the last three years is this:—

Children's Age.	1860.	1861.	1862.
Under 7 years of age - - - - - -	35·85	36·04	35·24
Under 10 years of age - - - - - -	71·325	71·65	71·17
Of 10 years and upwards - - - - -	28·675	28·35	28·83

There is hardly any variation in this return for the last 10 years. In all probability, it will continue the same, almost uninfluenced by any educational enactments. For, indeed, it does not to any extent depend upon them, but, as I have observed in my reports, year after year, on the state of the labour-market, on the prevalence of work for children, and on the rate of its payment. It may, I conceive, be now looked upon as a settled point, that of the children in elementary schools, little more than one quarter, actually 28 per cent., are of the age of 10 years or above that age. This fact should be carefully recognised, for it is really of immense importance in considering the state of primary education. But it should not convey the idea that children of the same age in school, in such schools especially, as those for the working classes, must needs be at the same standard of attainment. No practical man would expect this to be the case. For this state really depends upon other and widely varying causes, as, for instance, the time during which children have been in the school, their attainments at entering it, their family life and circumstances, their natural ability and character. With regard to the first of these points, school stay, the returns of the last official year from the church schools under inspection in Yorkshire are these:—

	Two Years and under.	Above Two Years.	Under One Year.
Annual Grant Schools - -	80·53	19·47	43·26
Simple inspection - -	67·68	32·32	30·41

The return for the previous year gave much the same evidence.

In 1861 - - - -	81·30	18·70	45·51

And for several years there has been little difference in the return. It is plain, therefore, that in testing any real results of school work a very large per-centage of the children should be excluded from consideration, as they have not been a sufficient length of time in the school to afford any fair proof of its efficiency or weakness. Probably not less than 75 per cent., or three quarters of the whole number should be dealt with thus. By those, not far from half of the whole, who have been in the school less than one year, it is manifestly unfair to test either the merits of a teacher or the working of a system. Below, are some returns which will show how changeable is the population of some of the largest and best schools in Yorkshire:—

	Entered in last 12 months.			Left in last 12 Months.		
	Boys.	Girls.	Infants.	Boys.	Girls.	Infants.
Halifax, Holey Hill - - - -	215	243	261	164	181	185
Sheffield, Pittsmore - - - -	332	265	–	298	200	—
Halifax, Clune's Head - - -	117	135	–	135	114	—
Messrs. Walker's - - - -	283	429	–	156	229	—
Keighley - - - - - -	219	283	–	193	216	—
Messrs. Marshall's, Leeds - - -	682	627	–	560	538	—
Parish church, Leeds - - - -	295	127	180	293	109	197
Sheffield, St. George - - - -	238	208	128	196	201	103
St. Mary's - - - - -	345	304	201	244	317	217
Carver-street - - - - -	287	340	–	156	176	—
Wicher - - - - - -	166	163	338	93	121	115
Hull Christ Church - - - -	228	239	–	206	238	—
Hull, St. John's - - - - -	180	300	–	178	315	—
Hull, Salthouse-lane - - - -	204	178	–	246	187	—
Hull, St. James - - - -	301	153	240	342	228	241
St. Stephen's - - - - -	128	232	175	129	204	141
Holy Trinity - - - - -	133	155	–	121	140	—

Appendix (A).

Attainments of Children.

With regard to the attainments of school children, there can be no doubt in the minds of all those who, from personal observation and practical acquaintance with the subject, are qualified to judge, that there is year by year a gradual but decided improvement in all the elementary subjects. Indeed it can hardly be otherwise in Yorkshire, as it has always been the practice of my colleagues and myself both to inquire carefully into this point at our examinations, and to impress its importance strongly upon teachers and managers of schools. If it be objected that only about 25 per cent. of the children in a school can be said to "read well," let it be remembered that this is just about the number from whom, considering their age and length of stay at school, this standard of reading might be fairly expected. And it may well be questioned whether the "good reading" of the working classes should be tested so much by the power to read aloud with facility and clear articulation, as by the practice of reading with pleasure and entering with interest into the subject matter of the book. Not one in one hundred of the working class will ever have to read aloud after he leaves school, nor is it of much importance that men in this class should possess this power in perfection. But that they should read common books with interest, and understand what they read, is a matter of great importance both to themselves and the country. I believe a much more useful trial for school children is for the examiner to allow them to read a passage to themseles, and then, with books closed, to require them to reproduce what they have read in their own words, both *vivâ voce* and in writing. Such an exercise tests more fully than any other, both whether they remember and whether they understand the subject-matter of a lesson. It also shows their power of clothing their thoughts with words, and their ability in spelling. In all good schools, two, not uncommonly three, classes read "very fairly indeed"; "well," it might be called, with consideration of their circumstances at home, and the length of their time at school. Two classes generally write very creditably from dictation; the first class in a really good school will write several tolerably hard sentences with singularly few mistakes, some of them making no mistake at all. I am by no means sure that the first-class in any of our public schools, young men of 17 and 18 years of age, would do this exercise more correctly than these children, whose average age is often not more than 10½ years.

Their writing in copy books is certainly not inferior to that of the richer classes of the same age. In fact, it is generally much better. Of late years, owing, I believe in a great measure, to a letter written on the subject by the desire of Lord Palmerston, there has been considerable improvement in the character of school-hand writing. It is larger and rounder, and therefore more legible. Some hindrance is caused in schools by the inability, or ill-will of the parent to buy copy-books for his children; but it is quite worth while, in such a case, for the managers to provide books for the scholars. A school is always popular where the hand-writing is good. It is the one subject which the illiterate and ignorant parent is able to appreciate and to judge of with his own eyes. I have never known a case, where the writing was decidedly good, where the school did not thrive, and chiefly from this cause. I do not mean to say that such a school is always a good one, but that it is popular, and pays its way, and does a certain amount of good in a parish.

In arithmetic, also, the third elementary subject, there has been good progress, not only in the increased number of children instructed in it, but also in the more intelligent methods of instruction. I have observed numerous cases where a new master, in taking charge of a school, has, so to speak, begun at the beginning of this subject, and remanded the whole school to "numeration and notation," the two "simple and compound rules," that he might thus test their intelligence and accuracy, and might be enabled to discover whether their arithmetical instruction had been laid on a solid, or a slight foundation. In this subject, indeed, as in "dictation," and in other subjects of school-teaching and school-examination, puzzling questions may be asked of children, which are more really, to use a vulgar expression, "artful dodges," than useful trials. I do not expect, it is not indeed desirable that young children should be able to answer these questions, which neither require intelligence nor exercise thought, but depend upon a quibble or a catch. The only result of such questions is to excite an empty laugh, or call forth a malicious remark against the teacher, but they do not at all show the depth of the children's knowledge, or in any way determine the efficiency, or uselessness of their instruction.

As the tabulated reports of separate schools are now no longer printed, it seems to be a duty to name the best schools which I have inspected during the year.

In Towns.

Manufacturing.	Agricultural.
Bradford, Manchester-road (boys).	Doncaster, Christ Church (boys).
Halifax, Haley-hill.	Doncaster, Great Northern Railway.
Halifax, Parish Church.	New Malton.
Huddersfield, St. Paul's (boys).	Masham.
Hull, St. Mark's (boys).	Richmond, Corporation.
Leeds, Parish Church.	Ripon, Cathedral (boys).
Leeds, Messrs. Marshall's.	Ripon (girls).
Sheffield, Blue Coat.	York, Bishopgate.
Sheffield, Pittsmoor.	York, Model.
	York, Walmgate (girls).

In

In Villages.

Manufacturing or Mining.

Bankfort.	Methley (girls).
Copley Factory.	Rawmarsh, Grammar.
Farnley Iron Works.	Staithwaite, Lower.
Maustin Colliery.	Whitley, Lower.

Agricultural.

Baldersby.	Harewood.	Sharon.
Birstwith.	Keldwick.	Stillingfleet.
Dallowgill.	Leathley.	Walton (Tadcaster).
Esciak.	Lythe.	Wansford.
Tylingdales.	Newton-on-Ouse.	Wetwung.
Gargrave.	Roos.	Whitwell.
Giggleswick.	Settrington.	Wighill.
Gilling.		

Certificated Teachers.

There still continues to be an increase of Certificated Teachers in my District. There were in,—

	1860.	1861.	1862.
Certificated Teachers - - -	509	551	602

An increase per cent. 8 nearly + 8½.

To these must also be added Probationers, instead of 45 in the previous year, and Assistant Teachers in the place of . So that the whole result is this:—

	1860.	1861.	1862.
Certificated Teachers - - -	509	551	602
Probationers - - - - -	31	45	46
Assistant Teachers - - - -	23	25	26
Total - -	563	621	674

Of this now large body of teachers, both male and female, in my district, I can speak with great confidence as to their general fitness for their duties, and their good personal character. Among so many there must needs be some who seem to have mistaken their calling, and who, both from their attainments and conduct, would be better placed in other walks of life, But the great majority of teachers (I am speaking now more particularly of those who have certificates) are well qualified for their work, and zealous in the discharge of their duties. Some of them are now in great doubt and anxiety as to their future position, whether they will be able to secure the same salaries as heretofore. In many cases, probably, the income of the teacher must, for some time, be precarious and insecure. He must, either by charging a high school-fee, attempt to obtain a sufficient income, by which means many children will be excluded from the benefits of education, or by the temptation of a low fee, endeavour to cram all whom he can into his school, to the certain injury both of their discipline and attainments. I observe a slight falling off in the salaries of certificated masters, during the last year, which I regret. This is not the case with schoolmistresses, either of girls' or of infants' schools; the return of four years shows that the variation is not great on the whole.

Appendix (A).

Teachers' Salaries.

	1859.			1860.			1861.			1862.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Certificated Masters - - -	90	12	7	91	2	8¾	92	1	7	91	–	11
Uncertificated Masters - - -	53	7	9	53	19	6¾	58	3	6	57	14	1
Certificated Schoolmistresses - -	65	–	1	66	15	10¾	66	–	4	66	12	2
Uncertificated Schoolmistresses -	34	19	2	34	8	8	32	12	4	33	4	11
Certificated Infants' Mistresses -	57	16	1	58	6	9	62	4	8	63	9	9
Uncertificated Infants' Mistresses -	33	14	8	33	8	1	32	10	6	33	18	4

These are all teachers of schools, in the receipt of annual grants, inspected yearly. In the case of schools not receiving any assistance, and inspected when possible, the return is this:—

	1860.			1861.			1862.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Masters - - - - -	48	7	–	45	3	11	50	13	–

We may, I think, fairly conclude from these returns, that the salaries of teachers vary now very little in this district, and that there is more variation, as might indeed be expected, in those of the lower class than in those of the higher. We may say, that the average salary of a certificated master in Yorkshire is 91*l.*; of a certificated mistress of girls' school, 66*l.*; and of a certificated infants' mistress, 60*l.*; that there is no chance of any increase of this salary, but there may be some diminution of it. Can it fairly be called excessive? In the case of the master, what does it amount to? Simply this; it gives to a man, who ought to have very creditable general attainments, and thoroughly sound knowledge of the elementary subjects of instruction, who has been specially trained for his work as a pupil teacher, and as a student in a training college, for seven years; who has satisfactorily passed eight examinations, all of which are, in their degree, fair tests of his skill and ability; of whose good character and conduct yearly certificates have been required from those under whom he is placed, and amongst whom he works; of whose school the progress and discipline, and the tone are carefully observed and commented on in connection with his work; it gives, I say, to such a man the sum of 5*s.* 10*d.* per day, a sum which, in the manufacturing and mining districts of Yorkshire, many fathers of his school-children are earning with ease, and of which the double, and even treble, is received by skilled hands in some of the iron-works. Surely it is unreasonable to say that this is too large a payment on the average for men who do such work as that of our certificated schoolmasters. Many of them, indeed, do not obtain this average salary. Many of the younger men do not receive more than from 3*s.* to 4*s.* per day. It is obvious, that on such incomes they can save little or nothing, and can make no provision against sickness or old age.

Probationer Teachers.

The probationers in this district seem to be doing their work usefully, and filling up, as your Lordships intended, the wide gap between the experienced certificated teacher and the untrained, and often little-taught teacher of the village school, the common and not unnatural complaint against them is, that they are too young, and that though they do well as teachers in their schools, they fail as men of business in the parish, and that they are not, as indeed they ought not to be, "servants of all work" to the farmers, as their predecessors in such situations generally were. In one point they are frequently deficient when they leave the training school. They are not able to measure land, stacks, &c. Ability to do this is not only of great use to their neighbours in country places, but affords to themselves opportunity of giving practical out-of-doors' lessons which no wise schoolmaster will ever neglect. A practical knowledge of mensuration, and especially of land measuring, should be required in all teachers of village schools.

There is yet another class of teachers against whom the charge of ignorance of the world and of its common business is made more strongly and with more justice. I speak of the young and entirely inexperienced teachers who, as soon as their apprenticeships are at an end, take charge of a school. In the majority of cases these young teachers is not fitted for such a charge. They need those very elements of character which are most wanted in such situations, self-knowledge and self-reliance. In such positions they have often no advisers.

advisers. They have to deal with hard practical men, who make no allowance either for the diffidence, or for the inevitable mistakes of youth. To put a young man or young woman of 18 or 19 years of age into such a position is to submit them to a very difficult trial. As assistant teachers, under experienced head-teachers, such young persons may be very useful, though they need much more supervision and instruction from their superiors than they now receive. But to send them at once into the school-room with no special preparation, without that practical discipline which the training school necessarily enforces, and without any of that sobriety of character which the training school strives to impress upon its students, seems to be questionable for their success in their work, and doubtful for the most important interests of the country.

Pupil Teachers.

The number of pupil teachers in the Church schools of Yorkshire has now begun to diminish:—

	1860.	1861.	1862.
The numbers are - - - - -	1,125	1,165	1,107

This is the more striking, as the number allowed in each school had been limited by your Lordships' Minutes. The increase, therefore, in the whole number in 1860 and 1861, shows that a greater number of schools availed themselves year by year of this most valuable aid. There now seems to be a change in this respect. Of their conduct as a body, I am able to speak in very favourable terms. There are very few complaints brought against them, either by the managers or teachers of their schools. Where complaint has been made, and misconduct proved against them, there have generally been good grounds for questioning either the necessary care and judgment of the managers in recommending them at first for the office of school apprentice, or the existence of that watchful superintendence and almost paternal interest which young people placed in such trying circumstances pre-eminently need. In some cases, I am inclined to think, though it is very difficult to speak positively on such a point, that the managers of schools know nothing of their apprentices, either before their appointment or during their apprenticeships. They leave their selection entirely to the school teachers. They commit their whole charge, instruction, secular and religious, conduct in school and at church, to the master or mistress. They make no inquiry about their well-being or well-doing. They take for granted all that is said, either for or against them. They sign certificates about them on mere hearsay. They ignore entirely that guardianship over them, and that responsibility on their account which your Lordships justly impose upon them and require of them. I trust that such cases are rare in this district; but I fear, from what I am told, that they exist; and to a great degree account for the shortcomings and failures of pupil teachers, both intellectual and moral.

I have had occasion in two or three instances, in the collective examinations of pupil teachers and candidates for apprenticeships, to suspect dishonesty in copying from each other. On some of these occasions they are necessarily seated so near to each other that they are placed in circumstances of great temptation. In one examination I detected a gross case of this dishonest conduct in two sub-pupil teachers in their fifth year, which your Lordships justly punished by the forfeiture of their stipend (20 *l.*) for the year. I believe that their punishment has had a salutary effect in other examinations.

Much more attention has been paid of late to the reading power of pupil teachers, and there is manifest improvement in this particular. This improvement is, however, more evident in the females than in the males, whose chief defects are of articulation and pronunciation. The latter point is a great hindrance to good reading in Yorkshire.

The needlework of the female apprentices has improved greatly. Some years ago, very few of them were able to "cut out" and fix their own work. Now most of them, in the after years of their apprenticeship, can do this neatly and effectively. Many of them can make their own dresses very well, and give instructions to the school girls with intelligence and practical skill. Their own dresses, shirts, chemises, napkins, towels, tablecloths, knitted stockings, and patch-work quilts, are the usual articles on which the girls are employed. Fancy work is generally allowed when plain work is well done; but the one is made the necessary antecedent to the other. Nothing can be more unfair than the accusation, rather loudly made of late, against the girls in our schools, that they cannot do plain work. In a great majority of cases, in fact wherever the parents (mothers especially), do not either by their obstinacy or ignorance prevent it, plain needlework is very creditably done, considering the age, the school stay, and also the home work of the girls.

Other industrial training would be most valuable, were it practicable, but in many schools needlework, including sewing and knitting, and sweeping out the school, are the only possible industrial employments of the girls. It should also be stated that, to the last mentioned employment of their daughters, many Yorkshire mothers energetically object both by word and deed.

Appendix (A).

Infants' Schools.

Schools for infants are increasing in number and improving in quality in this district, as, year after year, their object and importance are more fully recognised. There are very good schools of this kind at Doncaster (Christ Church and Great Northern), Huddersfield (Seed Hill and St. Paul's), Leeds (St. Peter's, St. Andrew's, and St. George's), Sheffield (St. Peter's and Wicher), Halifax (Haley Hill and Parish Church), Hull (St. Stephen's and St. James'), York (Bishopgate), Middlesboro', and in villages at Armitage Bridge, Newton-on-Ouse, Wentworth, and Roos.

It seems hardly possible to obtain fair and decisive results in an infants' school by anything like individual examination of the children. Its real condition may be tested much better by the collected examination of the children in gallery by their own teacher, aided and directed by the inspector; who can also hear the upper classes read, and examine their writing and arithmetic. It should always be remembered that in an infants' school the intellectual results are not the most important; the moral results are of far more consequence:—cheerful obedience to teachers, kindliness to each other, cleanliness of person, neatness of dress, the formation of good habits, punctuality, order, truthfulness; these are the results to be aimed at and sought for in these young and impressible creatures.

Night Schools.

Night (or evening) schools are increasing more rapidly than heretofore, but are not yet in any great number in this district. Indeed, the same circumstances of the country which cause the importance of the infants' school necessitate the increase and improvement of the night school also. The education of the working classes of this country must, in a great measure, be either before work begins at all, or of their own seeking, in the few hours of leisure from the demands of daily work. It must begin in the infants' room, be continued for a brief, and generally interrupted, period in the day school, and be completed, or at least continued, in the night school. But the night school has many and peculiar difficulties to contend with, some of which will be partially removed by your Lordships' provisions on the subject, but of which others remain inherent. Such are the voluntary character of the attendance, the inequality of age in those who attend, from the sharp boy who has only just left school, to the ignorant man of middle age, who has never been in it at all, the state of bodily weariness in which many of the scholars begin their evening work, the necessity, not only for able teachers, but for men of tact and experience to manage the motley and undisciplined scholars; these, and there are others also, are great difficulties in practice. They hinder the working of the machine considerably, and they sensibly embarrass the inspection of such institutions,

"Incedis per ignes
Suppositos cineri doloso."

In such cases an inspector finds that he must do all that he can, not all that he would; and that his best endeavours do not always produce a full report of all that is done or attempted there.

The evening school at the Farnley Ironworks of Messrs. Armitage has made striking progress under its excellent and energetic master, Mr. Barnes. I know of no case where so much has been done, and done well, in the same space of time: the delight of the young men in their school-work, their intelligent reception of its subjects, their evident improvement in tone of thought, in language, in manners, and, I am told, also in habits, are good proofs of real progress in education.

The Working Man's College, at Haley Hill, Halifax, still holds its high place amongst our educational institutions. It seems to me to produce a marked effect upon its students; they seem to be much changed for the better in the few years of its existence, in manner and in tone; the discipline is better, not more strict, but more manly; the lessons are given with great spirit and tact by the different teachers.

Industrial Schools.

The Young Women's Institute at Haley Hill, though not large in numbers, is satisfactory in character and credible in attainments. Much improvement has been made in needlework, to which Mrs. E. Akroyd has carefully directed the attention of the teachers.

The "kitchen," under the instruction of an assistant mistress, seems to be of great utility to the girls employed in it, and of considerable benefit to the sick, for whom their cooking powers are exerted.

An industrial department has also been added, since my last report, by the Countess of Harewood, to her village school at Harewood. All girls in the school above 10 years of age are required to take their turn of work in it. This consists of washing and laundry work and cooking. So far it has answered well, and its earnings have nearly equalled its expenses.

Lady Wenlock has enlarged her industrial school at Eswich. It is now very effective; the laundry work is admirable, the bread made by the girls is very good; the account given of those who have gone out from it to service is, as I am informed, perfectly satisfactory.

tory. It would be well for the country if such institutions were largely multiplied, and if all, who have the means, had also the wish of thus furthering the sound and practical education of the working classes. A girls' home has been lately opened at Ripon, under the care of Mrs. Goode, wife of the Dean of Ripon. And a similar institution has been at work at Doncaster for more than a year, under the direction of Mrs. Vaughan, where poor girls are admitted and carefully trained for domestic service. It is well adapted for its object, and is doing well in all respects. In many places a department of this kind might be added to girls' schools, so that the one might be a support and benefit to the other. Indeed no girls' school should be considered as complete without this practical and industrial training.

School Income, Expenditure, &c.

The school income of 491 schools amounts to 56,862 *l.* 4 *s.* 6 *d.*, but of this sum I observe that 5,998 *l.* 8 *s.* 2 *d.* arises from capitation grants, and is not raised locally. The local income therefore is 50,863 *l.* 16 *s.* 4 *d.*, or 103 *l.* 11 *s.* 10 *d.* as the average of each school. The average last year (taken on 493 schools) was 104 *l.* 1 *s.* 8¾ *d.*, and, as this has been nearly the same in other years, we may fairly conclude that this is about the average income of elementary schools in Yorkshire.

The local income is made up as follows :—

	£.	s.	d.	
School Pence - - - -	27,397	18	10	nearly 54 per cent.
Voluntary Contributions - -	16,153	16	11	„ 32 „
Endowment - - - -	2,296	18	2	„ 4½ „
Other Sources - - - -	5,015	2	5	„ 9½ „
	£. 50,863	16	4	

It might perhaps have been expected from the prevalence of distress in the neighbouring county of Lancaster, and on the western border of Yorkshire itself, as well as from the circumstances of trade in some of its largest towns, Leeds, Sheffield, Hull, &c., that the payment of the working classes towards the schooling of their children would not have been so large as usual. But the contrary is the case. Not only relatively, but absolutely, the sum so raised is larger.

		£.	s.	d.	
1861.	School pence - -	26,445	19	3,	or 51½ per cent. of the school income.
1862.	School pence - -	27,397	18	10,	or 54 per cent., nearly.
1860.					53 per cent.

So that this year of trial has actually been better rather than worse in Yorkshire. In like manner the "voluntary contributions," which represent in a great measure the payments of the upper classes towards the education of the poor, are this year nearly 32 per cent. of the whole income, while last year they were under 31 per cent.; the actual sums are:—

		£.	s.	d.
1861.	Voluntary contributions - - - - -	15,880	8	2
1862.	Voluntary contributions - - - - -	16,153	16	11

So that in this particular also there has been no falling off. It is true that the increase in both these sources of income is small, but it is sufficient to show how elastic the work of the country is, and how little, in one of its most important localities, it is affected by the severest trial of modern times.

The same marked distinction appears as in previous years in the average income of schools receiving annual grants, and of those which are under simple inspection receiving no grants.

	£.	s.	d.
In annual grant schools the average income is - - -	103	11	10
In simple inspection - - - - - - -	55	16	2

The latter being little more than half of the former.

Much the same proportion prevailed in 1861.

	£.	s.	d.
Annual grant schools - - - - - - -	107	19	2½
Simple inspection - - - - - - -	57	13	11

Taken as average income per child this return is very instructive, as it shows how much larger the annual grant schools are than the simple inspection.

	s.	d.
In annual grant schools income per child is - - - -	15	7¼
In simple inspection - - - - - - - -	18	1½

In fact, in the first of these two classes of schools

The average attendance of children is - - -	134 per school.
In the latter - - - - - - - -	61 „

Appendix (A).

During the last year, as indeed is always the case, the expenditure has considerably exceeded the local income, showing a difference of 8,041 *l.* 12 *s.* 1 *d.* The capitation grant made by your Lordships has reduced this difference to 2,043 *l.* 3 *s.* 11 *d.*

School Fees.

Under this head I find that, at the present time, in the schools which are receiving annual grants about 70 per cent. of the children pay a lower fee than 3*d.* per week (this means that they actually pay 2*d.*), and only about 30 per cent. pay more than 3*d.* It cannot be said that this is a high rate of payment, where there is only one child to be paid for; when there are two or three children from the same family, it is as much as the income of the parent can in general afford; little more than one child in every hundred pay above 4*d.* per week; the school fees therefore are low enough. It may be questioned, whether on the whole, in the manufacturing districts especially, where wages are generally high, they are not too low. A considerable change is however taking place in this respect in the manufacturing towns. In several of them, Bradford, Huddersfield, &c., the managers of schools have determined to raise the school fees, as the only method of maintaining the school income. In no case is the payment of a child to be below 3*d.* per week, and a corresponding rise has taken place in all the payments, 3*d.* for 2*d.*, 4*d.* for 3*d.*, &c.; this arrangement will probably have the effect of preventing some of the poorest children from attending the national school, and will drive them to the ragged school, or to the worst of all schools, the streets. But it is not easy to point out any other course for managers to take, and it seems inevitable that they must either considerably diminish the expense of their school, and thus, in all probability, affect its efficiency, or they must make the parents of the children pay a higher price for the advantages offered to them at the school. Of the 17 *s.* 11¾ *d.*, which is the average cost of each child in a school receiving annual grants, the parent now pays about 9 *s.* 7 *d.* on the average. Hereafter he must pay about 13 *s.* 5 *d.*, or an increase of about 40 per cent. It seems very doubtful whether, under the present circumstances of trade, they will be willing or able to do that.

Here also the higher school has the advantage over the lower, in its less cost per child—

	s.	*d.*
In the annual grant schools the cost per child is - - - -	17	11¼
In simple inspection - - - - - - - - -	18	7¼

There is therefore good reason to be satisfied with the present progress of elementary education. Great results have already been obtained by it, both moral and intellectual, both equally appreciable and measurable by intelligent, experienced, and unprejudiced men. A considerable per-centage of children, say about 30 per cent., are allowed on all sides to leave school thoroughly well instructed. This is just about the number that do not come to school in a state of "brutish ignorance," and who remain in it long enough to give the teacher fair opportunity of acting upon them. Besides them, there is a very large per-centage, say about 40 to 50 per cent., who, in the opinion of all those who are the best qualified to judge, leave school with a fair knowledge of the most useful elementary subjects, reading, writing and arithmetic; not only quite as much as can be expected by all reasonable persons who know what their intellectual state is when they enter school, and how short their stay is in it, but also sufficient for their position and work in life, if when they leave school their circumstances allow them opportunity of keeping up and practising what they have there acquired. I have no doubt that the children of the working classes on the whole keep up their mere school knowledge to a greater extent than the children of the middle and upper classes, who have at least been four times as long in acquiring it.

And, with regard to moral results of elementary schools, he must be a strangely-unobservant or a strangely-prejudiced man, who cannot see them in the general character and conduct of the working classes; in their ready submission to law in their pastime, in bad times, in their cheerful endurance of great privations; in short, in that wonderful scene which is now exhibited in Lancashire, one of the saddest and yet one of the proudest sights that England has ever seen. I know well that much remains to be done for the moral improvement of the working classes, but I am sure that a great deal has been done, well and wisely, during the last 20 years, by means of elementary education, and that much more will be done if only the tree may be judged by its fruits, and not hastily pulled up to see what sort of roots it has been making underground.

I have, &c.*

Appendix (B).

Inspectors' Reports.

Sir, Woodford, 25 June 1864.

I have received your letter of yesterday's date, requesting me to forward to you the manuscript, if I still possess it, from which my Report for the year ending August 31st 1861, was printed.

Part of that Report was printed, part was not. The manuscript of that part which was printed I certainly, according to my usual custom, destroyed as soon as I had corrected the proof sheets. The manuscript of that part which was not printed I retained, because this part related to the results of a recent enquiry in France, on a number of points (such as the state of elementary instruction in primary schools, the position and payment of schoolmasters, the duties of the local bodies connected with schools, &c. &c.) to which the newly-introduced Revised Code was, at that moment, directing attention in England; and I thought of publishing this part in an educational periodical, the "Museum." I wrote to the editor on the subject; he answered that he should be glad to have what I had written, but at the same time he called my attention to the fact that an analysis of the statistical results of the French enquiry had just been printed in the "Museum." On looking at this, I thought that the freshness of the subject was taken from it, and informed the editor that I would not print my paper.

The manuscript lay by me for some time; but I must have destroyed it, according to my practice of destroying, from time to time, manuscripts which I have no intention of using; for when attention was last year called to the mode of dealing with Inspectors' Reports, I made diligent search for this manuscript, and could nowhere find it. I have, certainly, no particular recollection of destroying it; but I destroy a great deal of manuscript at certain times, and I feel no doubt whatever that at one of these times (probably in the summer or winter of 1862) I destroyed this.

I have, &c.
Matthew Arnold.

The Secretary,
Committee of Council on Education.

Sir, Poor Law Board, 25 June 1864.

In reply to your letter of the 24th instant, I have the honour to inform you that the manuscript of my Report for the year ending 31 August 1861, has been long ago destroyed.

I have, &c.
H. G. Bowyer.

The Secretary,
Committee of Council on Education.

Sir, Edinburgh, 25 June 1864.

With reference to your letter of the 24th instant, I beg to state that I cannot find the manuscript Report of 1861 to which it relates, and I believe that the manuscript has been destroyed.

I have, &c.
Jas. Cumming.

R. R. W. Lingen, Esq.

Sir, Frome School, 25 June 1864.

The manuscripts from which my Reports were printed in 1861 and 1862, as well as in all other years, were destroyed after that the Reports were published. Had they been in existence, they should have been forwarded to you.

Yours, &c.
E. Douglas Tinling, H. M. I.

Appendix (C).

Appendix (C).

General Report, for the year 1861, by Her Majesty's Inspector, *James Cumming*, Esq., LL.D., on the Schools connected with the Free Church, and other Schools, inspected in the North and East of *Scotland*, and in the *Orkney* and *Shetland Islands*.

My Lords,

Schools inspected.

During the year to which this Report relates, I have inspected 135 institutions, containing 153 schools. These are exclusive of the model and practising school connected with the Normal College in Edinburgh, which comprehends about six departments, under as many certificated teachers. My colleague, Mr. Scougall, has inspected 153 institutions, or 181 schools. In those which I inspected personally there were 15,454 children present on the days of examination; in the others the number of pupils present was 14,870, making a total of 30,324. By comparing this with the statement in my report of last year, it will be seen that the number of schools is almost exactly the same, while the number of children is greater by nearly 1,200.

Pupil teachers.

In the different schools I examined 287 pupil teachers (with the exception of a few whose examination was superseded in consequence of their having obtained Queen's scholarships in December 1860). I also examined 115 candidates for apprenticeship. Mr. Scougall had 267 pupil teachers under examination, and 85 candidates. Fourteen days were set apart by me for collective examinations, and 11 days (besides three half-days under circumstances explained in last year's report) by Mr. Scougall. Notwithstanding the relief afforded by the collective examinations, we find that a very weighty and important part of the examination of pupil teachers and candidates has to be conducted in the several schools individually, where not only the teaching skill of the young persons has to be exhibited, but their religious knowledge is generally ascertained in the presence and with the aid of the minister.

Probability of school extension.

What has now been stated in regard to the number of schools being the same as last year, may suggest matter for consideration as to the indefinite increase which has been sometimes apprehended in the demands for Government aid. It would seem as if the raising of those funds which alone can form a ground of claim for grants in aid had, in this case, reached a limit not likely to be greatly exceeded unless new circumstances should arise to increase the general interest in the subject. And although this conclusion has reference only to that part of the community which supports the schools that I am instructed to inspect, there is no reason to suppose that other sections of the public will show a greater zeal, if at least they are dealt with on the same principles.

There is at present some difference arising from the circumstance, that funds raised by local assessment above the minimum demanded by statute are counted as voluntary contributions in favour of parochial schools, though they may be, in part, paid reluctantly by those who support other schools. Even in this case, however, the contributions, if not voluntary on the part of *all* who pay them, must be voluntary on the part of the majority, and are not likely to be unreasonably large in themselves, or in respect of the aid to which they furnish a kind of title. On the whole, I do not think that the prospect of an indefinite extension of grants on the present system is very formidable, at least in Scotland.

Red Ink mark in margin.

This conclusion may, perhaps, be made more distinct if we reverse the mode of viewing the subject. The money advanced by Government is generally spoken of as aid granted to certain churches and societies to enable them to support *their* schools; but if it be allowed that it is the business of Government, in the interest of the State, to promote the education of the people, the contributions of the churches and societies may be regarded as voluntary aid accorded to the Government in the prosecution of this important object; and I do not apprehend that Government need be deterred from seeking the attainment of the end by the prospect of the proportioned contributions of the churches, &c., being inordinately large.

Management of Schools.

In most of the schools which I inspect, the principal manager is, of course, the clergyman, assisted by those who are associated with him in the church, as elders or deacons; but occasionally we meet with other laymen who take a peculiar interest, and lend an efficient co-operation, in the affairs of the school. In one instance particularly (Helmsdale), I found the school refitted in its furniture and apparatus, and the attendance more than doubled within the last four years, chiefly by the active exertions of one lay-manager.

What is most desiderated in the management of many of our schools is a committee of ladies to counsel and encourage the schoolmistress. Since your Lordships have laid such stress on the teaching of needlework, considerable progress has been made in that direction. I regret that the ladies, or committee of ladies, by whom this important part of education ought to be superintended and directed, are often absent from my visits of inspection, so that I am frequently under the necessity of giving an unaided judgment.

Finance.

I have little to observe on the subject of finance, which has not been anticipated in former reports.

In

In that part of the voluntary contributions which, is raised from the locality, as distinguished from the share of the central fund, the clergyman is uniformly a contributor, and perhaps contributes indirectly more than his apparent quota, as the sum from which the necessary amount is made up is taken from money which, ~~though he has never received it,~~ might otherwise have increased his income. It is not wonderful that, in these circumstances, complaints should have been made. ~~I only wonder that they have not been made more loudly and frequently, that no share of the capitation grants, which have so materially assisted the managers of schools in England, has ever been extended to this part of Her Majesty's dominions. I would gladly believe that there is now the prospect of the poorer country being placed on an equal footing with the richer; and if the change, whatever it may ultimately be, is not injurious to England, it can scarcely fail to be favourable to Scotland. I am aware that the distinction arose from the expectation that a national system of education would be arranged for this country, in which capitation grants would be unnecessary and unsuitable. But though the prospect of such a system is now somewhat nearer than it was, it is still sufficiently remote to justify the extension to Scotland of any aid which may be found desirable for England. It will be time enough, I humbly think, to withhold that aid when the long desired national system is not only projected but established.~~

Premises, &c.

Though the number of schools has not increased, improvements in the premises have been made in various quarters, sometimes with the aid of Government and sometimes independently of that aid. I may refer to the Free Church school of Watten, in the county of Caithness, and to the subscription school of Gallatown, Kirkcaldy, in the county of Fife, in illustration of the former class, and to the Free Church school of Tain as a specimen of the latter. In several other schools alterations have been made in the furniture and desks, and the cause of education is so far benefited that the change is always in the direction of lately acknowledged improvements. In Highland schools the subject of offices is still imperfectly appreciated. Some progress, however, is made, I think, even in this department, although I am not sure that I ought to mention under this head the case of one school, the managers of which, in their desire to meet the wishes of Government, formed a neat wooden erection, but, with the view of preserving cleanliness, and maintaining the purity of the atmosphere in the school, placed it behind a lofty wall, so that the scholars should have no access to it unless Her Majesty's Government should command a breach in the wall to be effected.

Scholars.

There is one circumstance connected with the progress of the pupils in our schools which I think entitled, especially at the present time, to the consideration of the Committee of Council. I refer to the age at which the scholars leave school; and the importance of referring to it arises from the probability of some legislation taking place for Scotland as well as England, founded on data derived from England alone. In the full conviction of the purpose of Government to deal equitably between the different parts of the kingdom, I venture to express a doubt whether equity would be the result of a perfect identity of treatment.

By an inspection of last year's report (Appendix, No. 1), and I believe the result will be much the same on referring to the reports of other years, it will be seen that the age at which the pupils leave school is considerably different in the two countries. In Church of England schools the number of pupils above 12 years of age seems to be rather less than 10 per cent. of the whole attendance, and the average will not be *much* more than 10 per cent. if the other English schools are taken along with them, so as to embrace all the inspected schools in England. But in the Presbyterian schools of Scotland the attendance of pupils above 12 years of age is nearly 17 per cent., and in the district of my colleague, Mr. Middleton, the per-centage appears to rise to 21. By observing the districts in England (including Wales) and Scotland respectively where the difference is greatest, it may perhaps be remarked that the per-centage is smallest where abundance of manufactories afford regular employment to the young of a dense population, and largest in the more rural districts, where field operations withdraw the older children from school in the summer months, but leave them free to return in the winter. ~~It is plain, at least, that any measure which should ignore the attendance of pupils above 12 years of age would affect the schools very differently in different parts of the kingdom. On the other hand, it seems probable that if no restriction were made in respect of age, any advantage arising to schools from the number of years of attendance would be compensated by the comparatively small number of days in each year during which the attendance is given.~~

I have, &c.
James Cumming.

To the Right Honourable
The Lords of the Committee of Council on Education.

N. B. The parts in erased type were omitted in the Report as printed.

Appendix (D).

Appendix (D).

General Report, for the Year 1862, by Her Majesty's Inspector, the Rev. *E. D. Tinling*, on the Church of England Schools inspected in the Counties of *Cornwall, Devon, Dorset*, and *Somerset*.

My Lords, Bath, 1863.

The past year has been one of much anxiety to school managers and school teachers. School managers throughout my district have been timid as to the plans which would be permanently adopted by Parliament, and during this period of doubt they have in many instances refrained from any increased outlay upon their schools, so as to secure themselves in time against any extent of loss which a change in the system of Government payments might eventually bring upon them.

These fears and doubts on the part of school managers have in certain cases tended to lessen the efficiency of the schools, and to make the present crisis one of the greatest difficulty.

Omitted.

With regard to the school teachers, the withholding of the payment of any future augmentation grants has greatly loosened the hold which the country possessed over them for their continuance in the work of national education amongst the children of the poor, and this change in the future prospects of the teachers has spread still deeper amongst the pupil teachers and candidates for apprenticeship. Many of the pupil teachers have shown themselves unwilling to complete their apprenticeship, whilst, for the first time since the Minutes of 1847 have been in operation, it has become a matter of very great difficulty to obtain fit candidates for apprenticeship.

And this sudden diminution of pupil teachers and candidates has been detrimental to many of the schools in this south-western district.

One other change in connection with the education of the poor in this district has been observable during the past year.

In former years a general desire has been expressed by school managers and school teachers with whom I have come in contact to raise and extend the standard of school instruction, and whilst accuracy was maintained, to introduce geography and grammar, singing and drawing, as subjects of school instruction. During the past year I have found a great willingness on the part of school managers and teachers to be satisfied with the subjects of reading, writing, and arithmetic, combined with religious knowledge, and to cast off, without sufficient thought, those other subjects of instruction which have been most useful to the children, and highly valued by the parents.

With these exceptions, I have little to report specially in connection with the schools in this district, which has not been noticed in former years.

But since it appears from the instructions conveyed by Her Majesty's Inspectors that, previous to any future report, this district will be subdivided, it may be well to show the increase which has taken place in the work of inspection during the 16 years in which the charge of this district has been entrusted to my care.

Upon my appointment in January 1847 there were 207 schools liable to inspection, viz., in Somerset 74, in Dorset 35, in Devonshire 53, in Cornwall 47. The examination for certificate and the pupil-teacher system were then untried, the Minutes respecting them being under discussion. At the present time there are 520 certificated teachers and 655 pupil teachers in this district, whilst no less than 1,925 pupil teachers have been apprenticed during the 16 years, viz. :—

In Somerset - - - - - -	665
In Devon - - - - - -	621
In Dorset - - - - - -	326
In Cornwall - - - - - -	313

The following table gives the number of schools under simple inspection, and of those in which certificated teachers or pupil teachers are now at work, together with the total amount of the population of the parishes in which the schools are situate.

Name of Counties.	Number of Groups of Schools under Simple Inspection.	Population of Parishes in Column 1.	Number of Groups of Schools under Certificated Teachers.	Population of Parishes in Column 3.	Number of Certificated Teachers.	Number of Pupil Teachers.
Somerset - -	88	54,962	142	269,072	176	235
Dorset - - -	37	17,652	74	94,929	86	111
Devon - - -	68	59,029	134	323,489	171	208
Cornwall - -	33	34,615	72	185,184	87	101
Total - -	226	167,824	422	872,674	520	655

The

Appendix (D).

The amount of population in the parishes in which certificated teachers and pupil teachers are now employed is shown under three heads in the following table:—

South Western Counties.	Number of Parishes in which Certificated Teachers and Pupil Teachers are employed, with a Population over 1,000.	Number of Parishes in which Certificated Teachers and Pupil Teachers are employed, with Population between 1,000 and 600.	Number of Parishes in which Certificated Teachers and Pupil Teachers are employed, with a Population under 600.
Somerset - - - -	88	27	27
Dorset - - - - -	34	12	28
Devon - - - - -	91	20	23
Cornwall - - - -	52	10	10
TOTAL - - -	265	69	88

I append a list of the different schools now under inspection, together with the population of each parish or school district, and the number of certificated teachers and pupil teachers employed in each group of schools.

I also append a list of the schools under simple inspection.

It is worthy of notice that whilst certificated teachers have been appointed in so large a number of schools, there are only 18 schools throughout these four counties in which the managers, having once appointed certificated teachers, have gone back to those who are uncertificated.

In suggesting that this list of schools should be printed *in extenso*, I am actuated by the consideration that abbreviated and compressed statistics often conceal facts in fallacious generalities, and are most difficult to contradict. A plain list of names speaks for itself.

[Here follows List of Schools.]

In resigning a portion of my district (when called upon by your Lordships to do so) I am anxious to take this opportunity of publicly thanking both clergy and laity for their unvarying kindness, and for the sympathy which they have shown in the work of inspection. It has been owing greatly to the friendliness of feeling which has been manifested throughout the district that I can claim that amount of success which has attended, I believe, the inspection of our poor schools in the West of England.

I have, &c.
(signed) *E. Douglas Tinling.*

To the Right Honourable the Lords of the
Committee of Council on Education.

APPENDIX (E).

Appendix (E).

GENERAL REPORT, 1861.

Sir, 8 February 1862.

I HAVE the honour to return to you the manuscript of my General Report which I received from you by this morning's post. I have carefully read the passages scored with red ink, and, with the exception of one which I have erased (p. 34), I do not find anything in them which does not come fairly under the scope of an Inspector's Report relating to the schools which I have inspected, their managers, teachers, and apprentices, their present circumstances, and future prospects. I have not given my own opinion, except in one case (p. 45), but fairly, and much within bounds, have reported the opinions of those who are occupied in the management and instruction of schools. If this be not legitimate subject of an Inspector's Report, I confess that I cannot see either its use or its truthfulness. With much regret I must declare my inability to make any further change in my Report.

I have, &c.
The Secretary. (signed) *Frederick Wathins.*

Appendix (F).

Appendix (F).

Instructions and other Documents relating to Inspection and Inspectors' Reports.

— No. 1. —

Summary Account, prepared by Mr. *Lingen*, of General and Tabulated Reports.

The first instructions issued to Her Majesty's Inspectors in August 1840, specify that they will be required to make detailed or tabulated reports upon the schools visited by them, and also general reports. The instructions furnished a form for the detailed or tabulated reports. (Report 1839–40, pp. 22–45.*) The same distinction between the two classes of reports is drawn in further instructions issued in December 1843.—(Report 1842–3, p. 29.)

The tabulated, as well as the general reports, were printed as part of the volumes annually submitted by the Committee of Council to Parliament from 1840–41 to 1853–54.

The form of the tabulated reports varied from time to time, and (until after 1850) different Inspectors often used different forms. The manner in which the tabulated reports were compiled for press, is described in the instructions to Inspectors of 17th January 1857, *infra* p. 43.

In 1854–5 the tabulated reports were omitted from the annual volume; that of 1853–4 had run to 1,400 pages; but, although no longer submitted to Parliament, they were printed separately, and sent gratuitously to the schools under inspection in each district, as well as to each of the Bishops.

This plan continued up to the year ending 31 August 1857.

The tabulated reports for the year ending August 1858,† were not printed, but were sent in manuscript to the correspondent of each school under inspection.

In 1859 the printing was resumed, but for sale only. In 1861, the printing of the tabulated reports was finally discontinued upon the refusal of the Treasury to sanction it. See *infra*, pp. 60–62.

[The following Extract from the Report of the Committee of Council for 1858–9 is in point.]

It may not be out of place to state, while upon the subject of the *General* Reports comprised in this Appendix, that a summary of *each report* made by an Inspector *upon a particular school*, is communicated in manuscript to the managers shortly after his visit. This rule was first established in the early part of last year. The practice had been to print the same reports in a collected form, for annual distribution. By that plan, the managers of schools inspected at the beginning of the year, had no opportunity of seeing the summary of the Inspector's observations on their own school until more than 12 months after the date of his visit. We determined, therefore, to provide for the immediate communication of the summary in manuscript to the persons whom it most concerned; but, inasmuch as the transcription of the several reports for immediate communication adds considerably to the employment of copying clerks, it was our intention to set off the charge for printing against this increase under the head of establishment. So earnest and manifold, however, have been the representations addressed to us of the local interest which the publication of these individual reports excites, and of the advantage which thereby accrues to the cause of education, that we have determined (with the consent of the Lords of Your Majesty's Treasury) to resume the annual printing of them; not, however, as heretofore, for gratuitous distribution, but for sale, in the same manner as other public papers. We are prepared to recommend this resumption of printing, in addition to the immediate communication in manuscript, only so long as the sale is sufficient to cover the expense. The reports on particular schools are popularly known as the "Tabulated Reports," from the form in which they appear, in distinction to the Inspectors' "General Reports." We shall send each Inspector's tabulated reports to press in each year, immediately after 31st August, and they will probably be ready about November, at the usual depôt for the sale of public papers.

— No. 2. —

Order in Council.

At the Court at Buckingham Palace, 10 August 1840.

Present,—The Queen's Most Excellent Majesty in Council.

Whereas there was this day read at the Board a Report from the Lords of the Committee of Council on Education, dated the 15th July ultimo, in the words following, viz.:—

"We, the Lords of the Committee of Council on Education, beg leave humbly to recommend to your Majesty that the following arrangements be made for the inspection of such schools as are in connexion with the National School Society, or with the Church of England.

"1. That

* Repeated verbatim in Report 1840–41, pp. 1–21, and 1844, pp. 22–42.

† *See* Instructions to Inspectors, 22d May 1858, *infra* p. 45.

"1. That before we recommend to your Majesty any person to be appointed to inspect schools receiving aid from the public, the promoters of which state themselves to be in connexion with the National Society or the Church of England, we should be authorised to consult the Archbishops of Canterbury and York, each with regard to his own province, and that the Archbishops should be at liberty to suggest to us any person or persons for the office of Inspector, and that without their concurrence we should recommend no person to your Majesty for such appointment.

"We further beg leave to recommend to your Majesty that if either of the Archbishops should at any time, with regard to his own province, withdraw his concurrence in our recommendation of such appointment, your Majesty would be graciously pleased to permit us to advise your Majesty to issue your Order in Council, revoking the appointment of the said Inspector, and making an appointment in lieu thereof.

"We further beg leave humbly to recommend to your Majesty to direct that such portions of the instructions to these Inspectors as relate to religious teaching shall be framed by the Archbishops, and form part of the general instructions issued by us to the Inspectors of such schools, and that the general instructions shall be communicated to the Archbishops before they are finally sanctioned by us.

"We are further of opinion that each of the said Inspectors, at the same time that he presents any report relating to such schools to the Committee of the Privy Council, should be directed to transmit a duplicate thereof to the archbishop of the province, and should also send a copy to the bishop of the diocese in which the school is situate, for his information.

"We are further of opinion that the grants of money which we may recommend to your Majesty should be in proportion to the number of children educated and the amount of money raised by private contribution, with the power of making exceptions in certain cases, the grounds of which will be stated in the annual Returns to Parliament."

Her Majesty, having taken the said Report into consideration, was pleased, by and with the advice of Her Privy Council, to approve thereof; and the Lord President of the Council is to take the necessary steps herein accordingly.

(signed) *C. C. Greville.*

— No. 3. —

INSTRUCTIONS to Inspectors of Schools.

Committee of Council on Education,
Sir, Council Office, Whitehall, August 1840.

1. HER Majesty having been graciously pleased, on the recommendation of the Committee of Council, to appoint you one of the Inspectors of Schools, the Committee request your attention to the inclosed paper of instructions, with the documents thereto annexed, for your guidance in the discharge of the duties which will devolve on you.

2. While an important part of these duties will consist in visiting, from time to time, schools aided by grants of public money made by the authority of the Committee, in order to ascertain that the grant has in each case been duly applied, and to enable you to furnish accurate information as to the discipline, management and methods of instruction pursued in your schools, your appointment is intended to embrace a more comprehensive sphere of duty.

3. In superintending the application of the Parliamentary grant for public education in Great Britain, my Lords have in view the encouragement of local efforts for the improvement and extension of elementary education, whether made by voluntary associations or by private individuals. The employment of Inspectors is, therefore, intended to advance this object, by affording to the promoters of schools an opportunity of ascertaining, at the periodical visits of inspection, what improvements in the apparatus and internal arrangement of schools, in school management and discipline, and in the methods of teaching, have been sanctioned by the most extensive experience.

4. The inspection of schools aided by public grants is, in this respect, a means of co-operation between the Government and the committees and superintendents of schools, by which information respecting all remarkable improvements may be diffused whenever it is sought; you will, therefore, be careful, at visits of inspection, to communicate with the *[parochial clergyman, or other minister of religion], connected with the school, and with the school committee, or, in the absence of a school committee, with the chief promoters of the school, and will explain to them that one main object of your visit is to afford them your assistance in all efforts for improvement in which they may desire your aid; but that you are in no respect to interfere with the instruction, management, or discipline of the school, or to press upon them any suggestions which they may be disinclined to receive.

5. A clear and comprehensive view of these main duties of your office is at all times important; but when a system of inspection of schools aided by public grants is for the first time brought into operation, it is of the utmost consequence you should bear in mind that this inspection is not intended as a means of exercising control, but of affording assistance; that it is not to be regarded as operating for the restraint of local efforts, but for their encouragement;

* In relation to the elementary schools of Scotland, the following passage is added in lieu of the words within brackets:—[presbytery of the bounds, or the minister of the parish, in regard to all schools which are placed by law, or by the condition of their endowments or constitution, under the superintendence of the Church of Scotland, and, as respects other schools, with the minister of religion]

Appendix (F).

encouragement; and that its chief objects will not be attained without the co-operation of the school committees;*—the Inspector having no power to interfere, and not being instructed to offer any advice or information excepting where it is invited.

6. †[The Committee will furnish you from time to time with a list of schools not aided by public grants, the school committees or chief promoters of which may have expressed a desire that they should be visited in the route of the Inspectors, when they are able conveniently to do so, in order that the school committees may have the advantage of the Inspectors' advice and assistance in the further improvement of their schools]. In submitting the route of your visits of inspection for the approval of this Committee, my Lords request you to include these schools in your arrangements. When engaged in the inspection of a school aided by a public grant, a requisition may be presented to you from the promoters of some school, in the same town or village, not aided by a public grant,‡ requesting you to visit their school. Whenever the special requirements of the public service permit your compliance with this request, my Lords are of opinion it is desirable that you should visit the school, and should convey§ to the parochial clergyman, the school committee, or chief promoters (whenever solicited to do so) the results of your experience in school management and education. You will specially report any such application to this Committee.

7. Acting on the principle of assisting local exertions, the Committee of Council have prepared a series of plans of school-houses for small parishes, villages and towns, in which are exhibited those improvements which are suggested by an extensive comparison of the results of experience, and which they intend to render available to the promoters of schools, by furnishing them with an explanation of each plan in detail, together with specifications, working drawings and estimates, and with forms for making contracts with builders, &c.

8. Their Lordships are strongly of opinion that no plan of education ought to be encouraged in which intellectual instruction is not subordinate to the regulation of the thoughts and habits of the children by the doctrines and precepts of revealed religion.

9. The reports of the Inspectors are intended to convey such further information respecting the state of elementary education in Great Britain, as to enable Parliament to determine in what mode the sums voted for the education of the poorer classes can be most usefully applied. With this view, reports on the state of particular districts may be required to ascertain the state of education in such districts, and how far the interference of Government or of Parliament can be beneficially exerted, by providing additional means of education. Your reports will be made to the Committee, but it is intended that they shall be laid before both Houses of Parliament.‖

10. The Committee doubt not you are duly impressed with the weight of the responsibility resting upon you, and they repose full confidence in the judgment and discretion with which your duties will be performed.

My Lords are persuaded that you will meet with much cordial co-operation in the prosecution of the important object involved in your appointment; and they are equally satisfied that your general bearing and conduct, and the careful avoidance of whatever could impair the just influence or authority of the promoters of schools, or of the teachers over their scholars, will conciliate the confidence and good-will of those with whom you will have to communicate; you will thus best fulfil the purposes of your appointment, and prove yourself a fit agent to assist in the execution of Her Majesty's desire, that the youth of this kingdom should be religiously brought up, and that the rights of conscience should be respected.

By Order of the Committee of Council on Education.

James Phillips Kay.

INSTRUCTIONS for the Inspectors of Schools.

THE Lords of the Committee of Council on Education consider that the duties of the Inspectors of schools may be divided into *three distinct branches:*—

1st. Those duties relate, in the first place, to inquiry in neighbourhoods from whence applications have been made for aid to erect new schools, in order to enable the Committee of Council to determine the propriety of granting funds in aid of the expenses proposed to be incurred, or to the examination of certain special cases in which claims of

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* [or of the presbytery of the bounds, in all schools connected with the Church of Scotland]

† In the instructions to Inspectors in Scotland, the following words instead of those in brackets':—[You will furnish the Committee of Council, from time to time, with a list of schools not aided by public grants, in regard to which the presbytery of the bounds, or the minister of the parish, or the school committees, may have expressed a desire that they should be visited in your route of inspection, when you are able conveniently to do so, in order that they may have the advantage of your advice and assistance in the further improvement of their schools. The Committee of Council will then give you directions as to your proceedings in relation to such requests.]

‡ In relation to schools connected with the Church of Scotland, insert—[or from the presbytery of the bounds]

§ And also in this place insert—[to the presbytery of the bounds, or]

‖ In relation to schools connected with the Church of Scotland, the following words are inserted in the instructions addressed to Scotch Inspectors:—The Education Committee of the General Assembly of the Church of Scotland may desire to avail themselves of the information collected in your visits of inspection. You will, therefore, be prepared to report to them on the condition of all schools connected with the Church of Scotland.

of peculiar urgency are advanced for temporary aid in the support and improvement of existing schools.

2dly. To the inspection of the several schools aided by public grants issued under the authority of the Committee, and an examination of the method and matter of instruction, and the character of the discipline established in them, so as to enable the Inspector to report thereon to this Committee, for the information of both Houses of Parliament. In obedience to Her Majesty's Order in Council, dated August 10, 1840, a duplicate of such reports respecting schools connected with the Established Church is to be forwarded by the Inspector to the Archbishop, and a copy to the Bishop of the diocese in which the school is situate, for his information.

3dly. As incidental to and in furtherance of these duties, Inspectors may also be required by the Committee to make inquiries respecting the state of elementary education in particular districts.

Firstly. When cases are referred to the Inspector belonging to the first head of inquiry, he will bear in mind that the grant of the last Session is to be chiefly applied in aid of subscriptions for building; and, in particular and special cases, in aid of the support of schools connected with the National Society and the British and Foreign School Society.

The Committee furnish the Inspectors with a copy of the Order in Council of the 3d of June, and with the annexed regulations of the 24th September 1839, and of the 15th July 1840, by which the appropriation of the Parliamentary grant made in the late Session will be determined.

In the first class of cases, the Inspector will be careful to obtain as precise information as possible respecting the intentions of the promoters of the intended school in relation to each of the regulations of the 24th September, and to each of the questions in the Form (A.) (appended hereto), respecting the site and structure of the school-house and the reasons for expecting that the school will be efficiently and permanently supported. He will forward a plan of the building proposed to be erected, containing the dimensions and height of the rooms, and specifying the appropriation of each part. In the school-rooms, sectional drawings must be given of the position of the desks and forms as proposed to be arranged on the floor. The Inspector will ascertain whether any ground, and to what extent, is to be appropriated to the recreation of the children, how it will be enclosed, and whether it is intended to furnish it with the means of exercise and recreation; and whenever his advice is sought he will encourage the adoption of such arrangements. If the schoolmaster's house do not form part of the building, the Inspector will ascertain whether it is situated in the immediate vicinity of the school, or at what distance. The plans of schoolhouses, prepared by the direction of this Committee, will always be available for such promoters of schools as may be desirous to adopt the arrangements suggested by the most extensive experience. The Inspector will personally ascertain all circumstances affecting the healthfulness of the site; as, for example, its drainage, ventilation, the proximity of any stagnant water, or of any establishments which may be injurious to health.

The probable amount of stipend proposed to be raised by subscription, or from endowment, or annual collections, together with the amount of school-fees likely to be collected from the parents of the children, with other allowances or emoluments, ought to be such as will enable a well-qualified schoolmaster to live in comfort and respectability, if he devote his whole time to the duties of his vocation; and will therefore be a subject of special inquiry to the Inspector.

He will also report on the funds available for the provision of books and school apparatus, and on the views of the promoters of the school respecting the extent of instruction which they wish to be imparted, and the nature of the discipline which they desire to be pursued in the school. He will ascertain whether any and what arrangements are made for the practical instruction of the girls in household management, and whether the instruction of the boys will have a practical relation to their probable future employment.

In relation to the 3d clause of the 4th regulation of the 24th September, requiring "that the site of the school-house shall be obtained with a good legal tenure, and that by conveyance to trustees it has been duly secured for the education of the children of the poor," the Inspectors are furnished with a copy of the 6th & 7th Will. 4, c. 70, intituled, "An Act to facilitate the Conveyance of the Sites of School-houses," and with the instructions issued by the National Society, and the forms provided for this purpose by the British and Foreign School Society, as well as with forms prepared under the direction of the Committee of Council, in order to meet the wants of the promoters of some other classes of schools.

The 9th regulation of the 24th September requires "that in every application for aid to the erection of a school-house in England and Wales, it must be stated whether the school is in connexion with the National Society or with the British and Foreign School Society; and if the said school be not in connexion with either of those Societies, the Committee will not entertain the case, unless some special circumstances be stated to induce their Lordships to treat the case as special." The Inspectors will occasionally have to examine the special representations made in such cases; and when the case appears to the Committee to warrant further investigation, the Inspectors may have to conduct the inquiries contained in the extract from the minutes of the 3d December (in the Appendix to these instructions), respecting the arrangements which the school committee or chief

Appendix (F).

promoters of such schools propose to make for conducting the religious instruction in an efficient manner; to ascertain whether the Bible will be read daily in the school, and what means are to be adopted to secure from the children attending the school an observance of religious duties, and attendance on divine worship, having a due regard to the rights of conscience.

Cases of peculiar urgency, arising in poor and populous neighbourhoods, in which representations are made of the want of the means of elementary education, and the absolute dependence of the population, from extreme poverty, on the public aid for the provision of schools, will sometimes be referred to the Inspectors for examination, before the Committee determine whether more than the ordinary amount of assistance shall be granted. Such inquiries will sometimes require a general survey of the condition of the poor in the vicinity, and particularly of the extent and quality of the existing means of elementary education; and the Inspector will be furnished with tabular forms in which to collect and combine the facts ascertained by such inquiries.

Well-conducted schools may at particular periods be subject to embarrassment from the death or removal of some patron who has provided a considerable portion of the annual income of the school, or from some local disaster, occasioning the withdrawal of the usual resources on which the school has been dependent, or from other similar causes, in which "peculiar cases temporary aid may be sought to meet the annual expenses of existing schools:" the personal examination of the school by the Inspectors, to test the efficiency of the management, will be required in the majority of such applications; and they will find in another part of these instructions full information respecting the nature of the inquiries to be made in such cases, and tabular forms in which to collect the results of their inspection. The efficiency of the school management having been ascertained, the Inspector will inquire whether all other efforts to obtain resources for the support of the school have been exhausted, and whether there is a reasonable prospect that temporary aid from the Parliamentary grant would enable the promoters of the school to ensure its future permanent efficiency, without the necessity of renewing their application; such assistance being always regarded as an exception to general rules, and to be granted only in cases in which the strongest evidence of its necessity and utility is afforded.

Secondly. In proceeding to inspect the method and matter of instruction, and the character of the discipline established in the several schools aided by the grants of this Committee, the Inspector will bear in mind that his visit will prove of much greater value to the school if he is accompanied* by the committee, or chief promoters of the school, in his examination of the children; inasmuch as all permanent improvements must depend, for the most part, on the exertions of the committee or chief promoters of the school. He will, therefore, generally announce his visit to the † [parochial clergyman, or] other minister of religion, connected with the school, or to the chairman or secretary of the school committee, and proceed to examine the school in their presence. He will abstain from any interference with the instruction, management, or discipline of the school, and will on all occasions carefully avoid any act which could tend to impair the authority of ‡[the school committee or chief promoters of the school] over the teacher or over the children, or of the teacher himself over his scholars. He will receive from them any communication which they may wish to make, and afford them such assistance and information as they may be desirous to obtain.

Having inspected the state of the boundary fences, exercise-ground, external walls, roof, &c., and ascertained whether the premises are in good repair, the other subjects of inquiry naturally arrange themselves under the following heads and subdivisions.

The Committee of Council, in placing these subjects of inquiry in the hands of the Inspector, by no means expect he will find that the several objects of education adverted to in them are attained in every school. The inquiries relate to different methods of instruction, and to all the subjects of instruction taught under such methods; a comprehensive series of questions is on this account necessary. These questions, moreover, are not to be received as an indication, in any respect, of what the Committee of Council consider desirable, either as respects the method or the matter of instruction, but as a mode of collecting the facts of each case, and as a catalogue of methods pursued, and of things taught under certain varieties of elementary instruction, but which are not found united in any one school, because some of them are incompatible with each other.

Neither is the Inspector to receive those inquiries as an exposition of the extent to which, in the opinion of the Committee, intellectual instruction should proceed, but simply as an indication of the facts which he may have occasion to record.

Mechanical Arrangements.

1. As to form of buildings.
   The dimensions of the room should be stated.
   (A.) When all the classes are in one room.
   (B.) When one or two class-rooms are provided for the separate instruction of a part of the children; the rest being taught generally in a common school-room.
   (C.) When each class is instructed in a separate room, and occasionally assembled in a common room.

2. As

* [by the presbytery of the bounds]—(Scotland).
† [presbytery of the bounds, minister of the parish, in regard to all schools connected with the Church of Scotland, or to any]—(Scotland).
‡ [those under whose control the school is placed]—(Scotland).

2. As to the disposition of desks.
   (A.) Whether on Dr. Bell's plan.
   (B.) Whether on the Lancasterian plan.
   (C.) Whether a separate range of desks on an inclined plane for each class, with a sufficient area for the arrangement of the class standing on the floor.

Means of Instruction.

1. Enumerate the books used in the several classes under the heads, reading, arithmetic, geography, history of England, grammar, etymology, vocal music, linear drawing, land surveying.
2. Describe the apparatus.

Organization and Discipline.

1. As to the arrangement of classes.
   (A.) State whether each child is always under the instruction of the same teacher.
   (B.) Whether it is taught by a succession of teachers, each conveying instruction in some particular branch.

2. As respects monitorial or other discipline.
   (A.) Number of teachers.
   (B.) Number of monitors unpaid.
   (C.) Number of pupil teachers, or of well-instructed monitors, who are paid (state the amount of the remuneration).

3. As respects rewards and punishments.
   (A.) If distinction depends on intellectual proficiency.
   (B.) On a mixed estimate of intellectual proficiency and moral conduct.
   (C.) On moral conduct only.
   (D.) Whether corporal punishments are employed; their nature; and the offences to correct which they are used. If they are employed, are they publicly inflicted?
   (E.) What other punishments are used?
   (F.) If any, what rewards?

As respects Method.

1. Whether the method of mutual instruction is strictly adhered to.
2. Whether the simultaneous method is more or less mingled with individual teaching.

If the simultaneous method be adopted, the Inspector will ascertain to what matter of instruction it is applied: as, for example, reading, grammar, etymology, arithmetic, singing, geography, history, &c.

These inquiries are all to be arranged in the Tabular Form, No. 1, so as to enable the Inspector to make the requisite memoranda, by a brief initial mark or note on the spot.

Supposing the school to be conducted on the system of mutual instruction, in order to determine the degree of efficiency with which the school regulations are carried into effect, the Inspector will ascertain,—

1. The number of masters, assistant-masters, if any, and occasional masters.
2. The number of monitors and the under-mentioned facts respecting each monitor.

If the school be conducted on the mixed method of instruction, the Inspector will ascertain the number of masters, assistant-masters, and occasional masters, and the number of pupil teachers employed in the school, and the following facts respecting each pupil teacher:—

Age.

Period during which he has received instruction.

Attainments.

In Reading.—Can read imperfectly; decently; with ease and accuracy; with ease and expression.

In Writing.—Cannot write; imperfectly; decently; with ease and skill.

In Arithmetic.—Acquainted with addition, subtraction, multiplication, division; or not respectively; skilful in the foregoing; acquainted with compound rules; skilful in them; acquainted with higher rules; skilful in them; acquainted with exercises in mental arithmetic; skilful in them.

In Singing.—Having by ear an acquaintance with psalmody and labour songs; acquainted with the elements of the notation of music; able to sing common psalm tunes and labour songs, from notes, at sight; able to sing chants, anthems, and more difficult sacred music, from notes.

In Drawing.—Able to draw simple rectilinear figures; able to draw and shade simple rectilinear figures; acquainted with linear drawing, as applied to some mechanical art, such as carpentering, house-building, land-surveying.

As to Physical Exercises.—Acquainted with the elementary movements; acquainted with the more complex combinations; capable of conducting a class under exercise.

Appendix (F).

Besides which, an examination should, when necessary, be made into their comparative knowledge of—

Geography.	History of England.
Grammar.	Etymology.

The Inspector should further inquire—

The period during which each monitor has been so employed.
Whether he receives any reward or privilege.
The number of children committed to his charge, and their average age.

The classes should be then successively examined, so as to enable a general report respecting the degree and efficiency of the instruction, to be subjoined to a table containing an account of the routine of the school for each class; that is, an account of the successive exercises of each class during each hour of the day, and each day of the week: stating whether the class, at each hour, is under the instruction of the monitor, or pupil teacher, or master.

The degree of attention paid to the moral training of the children, and the means which are adopted for this purpose, deserve the special attention of the Inspector; he will particularly note to what extent the industrial instruction of females is carried; and whether the master has any opportunity of becoming a companion to the children in their hours of relaxation. The number of holidays in each week and year deserve to be noted.

* *In the case of schools connected with the National Church, the Inspectors will inquire, with special care, how far the doctrines and principles of the Church are instilled into the minds of the children. The Inspectors will ascertain whether church accommodation, of sufficient extent, and in a proper situation, is provided for them; whether their attendance is regular, and proper means taken to ensure their suitable behaviour during the service; whether inquiry is made afterwards by their teachers how far they have profited by the public ordinances of religion which they have been attending. The Inspectors will report also upon the daily practice of the school with reference to Divine Worship: whether the duties of the day are begun and ended with prayer and psalmody; whether daily instruction is given in the Bible; whether the Catechism and the Liturgy are explained, with the terms most commonly in use throughout the authorised version of the Scriptures.*

They will inquire likewise whether the children are taught private prayers to repeat at home; and whether the teachers keep up any intercourse with the parents, so that the authority of the latter may be combined with that of the former, in the moral training of the pupils. As an important part of moral discipline, the Inspectors will inform themselves as to the regularity of the children in attending school—in what way registered—and how enforced; as to manners and behaviour, whether orderly and decorous; as to obedience, whether prompt and cheerful, or reluctant, and limited to the time while they are under the master's eye; and as to rewards and punishments, on what principles administered, and with what results. The Inspectors will satisfy themselves whether the progress of the children in religious knowledge is in proportion to the time they have been at school; whether their attainments are showy or substantial; and whether their replies are made intelligently, or mechanically and by rote. The Inspectors will be careful to estimate the advancement of the junior as well as of the senior class, and the progress in each class of the lower as well as of the higher pupils. And in every particular case the Inspector will draw up a report, and transmit a duplicate of it through the Committee of Council on Education to the Archbishop of the province.

Thirdly.—With regard to the third branch of the duties of the Inspectors, the Committee, whenever they determine such inquiries shall be made, will issue special instructions for the guidance of the Inspectors.

By order of the
Committee of Council on Education,
James Phillips Kay.

Form of Report respecting Schools.

Report to the Committee of Council on Education respecting the School in the County of District, No.

Date of instruction from Committee of Council to inspect school.
Date of visit to school.
Date of report.

1. Name of chairman, or secretary, of school committee, as correspondent on behalf of the school.
2. Address—Post Town.
3. By what name is the school to be known?
4. In what parish is it?
5. What is the name of nearest Post Town?
   Distance?
   Direction?

6. When

* The paragraphs in italics omitted in schools *not* connected with the Established Church.

6. When was the school established?
7. Who were the original promoters of it?
8. Is it, or has it been, in connexion with, or has it derived, or received a promise of aid from any society?
   What Society?
   What is the amount of such aid?

Tenure and Site of Building.

9. What is the tenure on which the site is held?
10. Is the school-house erected on ground which is the property of the incumbent as a spiritual corporation sole, or otherwise belonging to or connected with the Church of England?
11. Are the school-rooms applied to any other purpose than those of the school? to what purpose? under what regulations?
12. Is this appropriation recognised in the trust deed?
13. Is the trust deed duly executed?
14. Has it been enrolled?
15. When was it enrolled?
16. By whom were the trustees named and appointed?
17. The names and professions of the trustees?
18. What means are there for the renewal of the trust on the death or avoidance of the trustees?
19. What is the extent of the site?
    Describe it generally.
    How is it bounded?
    How is it enclosed?
    How is it drained?
20. State generally your opinion whether it is a healthy situation or otherwise?
21. In all respects well chosen, or otherwise?
22. Of what materials is the school-house built?
23. Is it thatched, or slated, or tiled?
24. In what state is it as to repair?
25. When was it erected?
26. From what funds was it erected?
27. If it was erected with aid from the Parliamentary Grant, furnish, in Appendix, a Special Report, arising from the audit of the building account, and the comparison of the reports, or statements, presented to the Lords of the Treasury, or of the answers to the questions, Form A, with the receipt and expenditure; the description of the building in those replies, and in the plans transmitted to the Committee of Council, with the structure erected, and the examination of the deed of trust.

Mechanical Arrangements.

28. Furnish a rough sketch of the plan of the building, if possible.
29. What are the dimensions of the chief school-room in length, breadth, and height to the centre of the ceiling?
30. Does the school-room contain a gallery for 80 or more children?
31. When one or more class-rooms are provided for the separate instruction of a part of the children, state also the dimensions in length, breadth, and height, of each class-room.
32. Are the school-rooms sufficiently ventilated and warmed?
33. Is there a lobby, or closet, for bonnets, cloaks, hats, &c.?
34. Is an exercise-ground provided? and if so, at what distance from the school?
35. Of what extent is it?
36. Is the playground furnished with gymnastic apparatus, flying-course or circular swing, parallel-bars, and gymnastic frame?
37. What is the nature and height of the fence with which the playground is enclosed?
38. Does the building include a residence for the schoolmaster and mistress? If not, how far is their residence from the school?

Religious and Moral Discipline.

39. Are the children assembled and dismissed every day with a psalm or hymn, and with prayer?
40. Is the Holy Bible read every day? In classes, or in the gallery?
41. Are the children taught private prayers to repeat at home?
42. Are they instructed in the Church catechism?
43. Are they instructed in the liturgy and services of the Church?
44. Do all the children belonging to the daily school attend school on Sunday and go to Church?
45. Are they provided with proper Church accommodation?

Appendix (F).

46. Are means taken to ensure their suitable behaviour during the service?
47. Are inquiries made afterwards by their teacher how far they have profited by the public ordinances of religion?
48. Do the teachers keep up any intercourse with the parents, or confine their attention to the children during the hours they are in school?
49. Is the progress of the children in religious knowledge in proportion to the time they have been at school?
50. Are their replies made intelligently, or mechanically and by rote?
51. Is due attention paid to the junior as well as the senior class, and in each class to the lower as well as the higher pupils?

Means of Instruction.

52. Enumerate the books used in the school opposite the following heads:—

Reading.	Etymology.
Arithmetic.	Vocal Music.
Geography.	Linear Drawing.
History of England.	Land Surveying.
Grammar.	

53. What apparatus does the school contain?
54. Are the children systematically trained in gymnastic exercises?

Organization and Discipline.

55. Are the children classed according to their proficiency?
56. Is each child always under the instruction of the same teacher?
57. Are the children taught by a succession of teachers, each conveying instruction in some particular branch?
58. What is the number of teachers?
59. What is the number of monitors?
60. What is the number of pupil teachers?
61. What is the remuneration of each pupil teacher?

As respects Rewards and Punishments.

62. Is any system of rewards and punishments adopted?
63. State whether distinction depends on intellectual proficiency.
    On a mixed estimate of intellectual proficiency and moral conduct.
    On moral conduct only.
64. Are corporal punishments employed?
    If so, what is their nature, and what are the offences to correct which they are used?
65. If they are employed, are they publicly inflicted?
66. What other punishments are used?
67. What rewards, if any?

As respects Method.

68. Is the method of mutual instruction strictly adhered to?
69. Is the simultaneous method more or less mingled with individual teaching?

Simultaneous, or Mixed Method.

70. How far is the interrogative method only used?
71. Is the suggestive method employed?
72. Is ellipsis resorted to?
73. Are the lessons tested?
    By individual oral interrogation?
    By requiring written answers to written questions?
    By requiring an abstract of the lesson to be written from memory?

Mutual Instruction and Mixed Method of Instruction.

74. What is the number of masters?
    Of assistant masters (if any)?
    Of monitors?
    Of pupil teachers?

Monitors and Pupil Teachers.

75. State the name and age of each monitor and pupil teacher, distinguishing pupil teachers from monitors.
76. State the period during which he has received instruction.

77. State

77. State the attainments of each pupil teacher or monitor, separately, in the following Table (*see* page 32), marking the pupil teachers *P. T.*, the monitors *M.* Appendix (F).
78. To whom are the pupil teachers apprenticed?
    For what period?
    What remuneration do they receive?
79. How many classes are there in the school?
80. How many children in each class?
81. State the proficiency of each class in the several subjects of instruction?—(*See* page 34).
82. In what works of industry are the boys employed?
83. In what works of industry are the girls employed?
84. Obtain a written account, signed by the master, of the routine of employment of each class in the school, for every hour in the day and every day in the week.
85. Is any mutual assurance society or clothing club connected with the school?
86. Is any library connected with the school; if so, of what books and of what number of volumes does it consist?
87. Is the use of the library confined to the school children, or otherwise?
88. Are the children allowed to take the books to their parents' houses?
89. What number of books was taken out in the last six months?

Form of Report to the Committee of Council on Education.

First Table.

| IE / TOR, / 'IL / HER. | Age. | Period during which he has received Instruction. | ATTAINMENTS OF MONITORS, OR PUPIL TEACHERS. | | |

Appendix (F).

Attendance, Registers, &c.

90. Obtain a copy of the school registers of admission, attendance, proficiency and moral conduct, respectively.
91. How many children were present at the time of inspection?
    Boys.
    Girls.
92. How many have been on the books for the last six months?
    Boys.
    Girls.
93. What was the average daily attendance during the last six months?
    Boys.
    Girls.
94. Is the number of children in attendance on the increase or decrease?
95. At what rate?
96. Is punctual and regular attendance enforced?
97. By what means?
98. Do the children pay for admittance to the school?
99. Do they all pay?
    At the same rate?
100. What is the rate of payment?
101. Do the children take any meals in the school-house?
102. In what part of the premises?
103. Do the children appear to be clean?
    Neat?
104. Do they wear any distinguishing dress?
    Or badge?
105. Enumerate the holidays which occur during the year.
106. At what age are the children usually admitted?
107. To what age do they generally remain?
108. Are there any systematic means of keeping up a connexion with the school children after their leaving school?

Schoolmaster and Schoolmistress.

109. What are the names of the schoolmaster?
    And schoolmistress?
110. Are they respectively married?
    Or single?
111. Are they man and wife?
112. Are they respectively provided with fuel, candles, and other perquisites?
113. Do they live rent-free in the school-house?
114. Do they devote their whole time to the duties of their office?
    If not, state what other occupation they have, the time it occupies, and its emoluments.
115. Have they received instruction in the art of teaching, in any and what training-school?
116. At what age did he (or she) become a schoolmaster (or schoolmistress)?
117. What was his (or her) former occupation?
118. State your opinion of the teachers as respects their attainments;
    Character; and
    Method of conducting the school.
119. By whom is the master (or mistress) appointed?
120. Upon what conditions, and for what period, is the appointment held?
121. Is there a written agreement?
122. Is there a sufficient facility for dismissing the master (or mistress) in case of need?
123. By whom is the master (or mistress) to be dismissed?

Government of the School.

124. In whom is the general management and control of the school vested?
125. Name the visitor (if any).

Patron.	Secretary.
President.	The Committee.
Treasurer.	The Trustees.

126. Do the Trustees [or Committee] meet periodically?
127. Are there general meetings of the subscribers and promoters of the school?

128. Is

128. Is there any, and if so, what system of constant superintendence by the Committee or otherwise?
129. Is the Committee active, or merely nominal?
130. Who are the active members of the Committee?
131. Transmit a copy of the printed rules of the schools.
132. Is there any periodical public examination of the school?

What is its effect upon—
The teachers,
The children;
especially as respects character and manners?

Annual Income.

133. State the amount of annual subscriptions and donations.
134. Of annual collections.
135. Of annual produce of endowment.
136. Of school-fees.
137. Of any other source of income separately enumerated.

Annual Expenditure.

138. What is the annual stipend of the master?

The mistress?
Each assistant master and mistress?
Each pupil teacher?

139. What amount was expended last year in repairs?

For furniture and apparatus?
For books and stationery?
For candles and fuel?

140. What other expenses are incurred?

SPECIAL QUESTIONS ON INFANT SCHOOLS.

Mechanical Arrangements.

THE questions respecting mechanical arrangements in the former paper having been replied to, the following additional questions may be put:—

1. Are the walls lined with a broad belt of black board, or prepared with mastic, painted black, for lessons in chalk drawing and writing?
2. Is a small gallery prepared with desks and boards for the instruction of 40 children in drawing, and in the signs of sounds?

Recreation and Physical Exercises.

3. What amusements have the children?
4. What games are encouraged?
5. Have they any and what gymnastic apparatus?
6. Are the children trained in walking, marching, and physical exercises, methodically?
7. With what result?
8. How often do the intervals of recreation occur daily, and what time is spent in recreation at each interval?

Industry.

9. How many children learn to sew?
   To knit?
   To plait straw?
   To keep the garden-border free from weeds?
   To sweep the school floors, &c.?

Imitative Arts.

10. Do the children learn to draw, on the wall or on a board, right-lined figures from objects or from copies?
11. Do they learn to draw the Roman capital letters and numerals?
12. Are these steps the preliminaries to learning to write?
13. Do they in this way learn to write the letters with chalk on the wall, or on a board?

Appendix (F).

Learning Signs of Sounds.

I. Reading.

14. Does the school-room contain one of M. Prinsen's letter-boxes?
15. Has the master or mistress been instructed in the method of making the children familiar with letters—
    1. By showing them the figure of a natural object having a monosyllabic name?
    2. By analysing this word into its constituent sounds?
    3. By showing the children the sign of each sound beginning with the vowel sound, and then combining them into the word by the phonic method?
16. Are the children expert in the various modes of using the letter-boxes, to spell and read words?

II. Singing.

17. On what method are the children taught to sing?
18. Do they learn the signs of musical sounds to any extent?
19. Can they copy the notes of music with chalk on the wall?
20. Can they sing many marching or other school songs?
21. Can they sing any hymns?

Knowledge of Natural Objects, &c.

22. Are the children exercised in examining and describing in very simple and familiar terms, the properties of those natural objects by which they are surrounded?
23. Is there a cabinet in the school stored with natural objects, which the children are likely soon to meet with in their ramble, or visits to friends?
24. Is there a cabinet of domestic utensils or implements of industry, of a small size, the uses of which may be explained to the children?

Instruction in the Gallery.

25. Are they instructed in any other subjects in the gallery?
26. If so, enumerate the gallery lessons.
27. How long is the usual lesson in the gallery?
28. Are the replies of the children made intelligently, or mechanically, and by rote?

Discipline.

29. Are the children clean in their persons and dress?
30. Are they orderly and decorous in their behaviour?
31. Do they appear to have confidence in their master and mistress, and to regard them with affection?
32. Are any, and if so, what rewards and punishments employed?
    On what principles, and with what results?
33. Is their attendance at school punctual and regular?
34. Examine register, and state whether it is kept on a good plan, neatly, and with care.

—No. 4.—

Extract from "Scheme of periodical Inspection for England and Wales," dated 2 December 1843.

Minutes 1842–3, page 29.

The reports of the Inspectors will be of two kinds,—
1. Special.
2. General.

1. The special reports will contain answers to the form of questions appended to the instructions to Inspectors of Schools, together with such a description as each Inspector may think it convenient to give, in more general terms, of the condition of each school at each visit.

The form of these special reports will, in a periodical inspection, be less comprehensive after the first visit, than on the inspection which has hitherto occurred at long intervals.

At a *primary visit*, the Inspector will procure replies to the entire series of inquiries now used; but, after the first examination of the school, it will only be necessary to ascertain and record the changes which have occurred in the *general features of the school*, and special attention will be given to the series of questions which relate to the organization, discipline, and state of the instruction.

The

The usual series of questions should, therefore, for the purposes of a periodical inspection, be divided into two classes,—

1. Primary.
2. Secondary.

The results of the primary and secondary inquiries should be recorded in forms, contained in a book or portfolio, giving at one view the conditions of the school at successive visits, both as respects its general features, and the condition of the discipline and instruction.

If such a book or portfolio were kept for *each section*, it might be transmitted to the Office at the end of *each month*, for the information of the Committee of Council, copied, and returned to the Inspector.

The Inspector would transmit, at the same time, or in particular cases, at an earlier period, such remarks and recommendations suggested by his visit to each school *in separate memoranda*, as he might wish the Committee of Council to convey to the trustees or school committee, for their information, and as suggestions for the improvement of the school.

These memoranda having been submitted to the Lord President, would, *as far as they were approved*, be communicated officially to the trustees or school committee, by the secretary.

Besides the *special reports* recorded in the forms comprised in the book or portfolio of each section, each Inspector will, half-yearly, present a *general report*, conveying to the Committee such general views and reflections as may be suggested by his labours, and containing the classified results of his tour of inspection.

Special inquiries may also occasionally be required for the information of the Committee of Council, or in consequence of suggestions conveyed to the Lord President from without.

No such inquiries will, however, be undertaken, otherwise than by the direction of the Lord President, nor any reports made, excepting to the Committee of Council on Education.

— No. 5. —

CIRCULAR to Her Majesty's Inspectors.

Committee of Council on Education, Privy Council Office,
Sir, Downing-street, 17 January 1857.

THE attention of the Lord President has been called to the character of the tabulated reports of Her Majesty's Inspectors as they appear in print, and to the length of time which elapses after inspection before those reports are circulated in the several districts.

It has been explained to his Lordship that the material of the tabulated reports are the entries in the official Forms IX. and X., upon which the annual payments due to each school are decided; that these forms are constantly wanted for reference at the office in London, and that it is the practice at the end of each year of inspection (31st August), to furnish each inspector with a transcript of the notes made by him under the headings of the report, such as *premises, furniture, books, apparatus, registers, discipline, instruction, organization, fitness for training apprentices*; also, the Inspector's general remarks, if he has made any, are added.

It has further been explained to the Lord President that the circulation of the tabulated reports in their printed shape, is not the only, nor the earliest, form in which some of the principal results of inspection reach the managers. The letters, in which the annual payments to each school are transmitted, always notice whatever appears to call for *immediate* remark in the examination passed by the candidates, and in the Inspector's report upon the state of the school.

His Lordship is also aware that, however meagre the wording of the tabulated reports may appear to readers unfamiliar with the details of schools, nevertheless a much more precise impression of the whole is conveyed to an experienced person, by an entry under such specific heads as those enumerated, than by a much more flowing description in general terms. The difference is analogous to that between a naturalist's description of an animal or flower and the popular one.

The Lord President is, however, of opinion that it may be possible to retain much of the precision of the present system, and, at the same time, to remove objections to which it is liable.

1. The official reports by Her Majesty's Inspectors to the Committee of Council, on which the annual payments are decided, must continue to be as detailed and exact as at present; for this purpose the Forms IX. and X. answer very well; they contain all that is needed; and the managers of schools, the Inspectors, and the officers of the department in London, are all used to them.

2. The transcription, even of so much of these reports as is printed, is a very heavy labour, and entails considerable delay, after the close of the year of inspection, in placing the reports in the hands of the printer; the reports cannot, as they come in, be simply handed over to a copyist, because they have to pass through many other hands, in checking payments, and in affording matter for statistical summaries, not to repeat that the need of referring to them in correspondence prevents the possibility of allowing them to be copied elsewhere than in the office itself.

3. No discretion whatever can be allowed to the copyist in what he puts down, in

Appendix (F).

what he omits, or in what form he casts the whole. No direction can be given except to take down the headings and the bare entries under them.

4. Having in view these considerations, the Lord President is of opinion that the plan of transcribing the reports in this office should be discontinued, and that the report of the Inspector on each school, in his own writing, should be placed in the hands of the printer. A slight change in the arrangement of the Form No. X. has been made to answer the purpose in view.

No part of pages 4, 5, or 6, will, in future, be used for publication, and Her Majesty's Inspectors need not insert upon those pages more than is necessary *for the information of the office*; this may be accomplished very briefly by the use of figures and letters only; E(xcellent), G(ood), F(air), M(oderate), I(ndifferent), B(ad), V(ery), and O representing total want. The space for "special remarks" may be left blank altogether, if the Inspector has no such remarks to make for the information (as before) of the office.

For the purpose of publication, a fly-sheet is added to the Form X. In this fly-leaf the Inspector will enter what he wishes to be printed. The fly-leaf, TOGETHER WITH *the preceding pages*, will constitute the data upon which the Committee of Council decides each case; but as soon as the statistical clerk has extracted his statistics, he will tear off the fly-leaf, and will file it for the printer.

The file of leaves, arranged according to date for each Inspector, will be sent direct to the Queen's Printing Office as early as possible in September; and the Inspector will probably get his proof sheets in the course of the same month, instead of having to wait as now (1) until his reports are laboriously transcribed by the office clerk, and (2) corrected, and often in great measure re-written in manuscript by himself.

Besides this saving of labour, nearly two months would be gained in the time of getting the reports printed for circulation.

A very few minutes, immediately after the Inspector has made up the rest of his report, will suffice for time to write down in the fly-leaf, in the form which he deems best, so much as he thinks may usefully be published; it is unnecessary to mention that, in giving a somewhat less rigid and technical form to the remarks intended for publication, they must be kept in the strictest accordance with the rest of the information upon which their Lordships are intended to decide, and must not, in the aggregate, exceed the present length. A school inspected for the first time might require a few additional lines; a school which had been often inspected, and had not materially altered since the last visit, might be dismissed in a single line.

A supply of 50 fly-leaves is forwarded for immediate use with the Forms X. now in your hands. They should be filled up and strung *through* THE LEFT *hand* UPPER *corner* of the printed side, loosely at the end of each Form X. The next Form XIX. which you receive, will enclose Forms X. with fly-leaves duly *attached*.

Your reports already received on schools inspected since the 31st of August 1856, will be transcribed upon fly-leaves in the office, and filed for the printer. Proofs for correction will reach you in the usual manner.

I have, &c.

To Her Majesty's Inspector of Schools. (signed) *R. R. W. Lingen.*

P.S.—The fly-leaf separately enclosed, is partially filled up by way of specimen. The entries in red will be filled up in future in this office as belonging to the issue of the Form XIX.

NAME of SCHOOL: *Oaklands* National (*or, as the case may be*).

Departments.	Date of Inspection.	Number present at Examination.				Number of Children in Average Attendance.	General Observations.
		Scholars.	Masters.	Mistresses.	Pupil Teachers actually Apprenticed.		
					During the year ending at the date of inspection:		Please to be careful to write the remarks opposite to the department to which they apply.
Boys - -	19/1/57	156	1	–	4	160	
Girls - -	20/1/57	109	–	1	2	115	
Infants -	20/1/57	70	–	1	–	75	
				1 A. T.			

— No. 6. —

CIRCULAR to Her Majesty's Inspectors.

(Change in scheme of publishing Reports.)

Council Office, Downing-street, London, S.W.,
22 May 1858.

Sir,

I AM directed to inform you that my Lords, having taken into consideration the length of time which necessarily elapses, under a system of annual printing, between the time at which each school is inspected, and a copy of the report upon it reaches the managers, and also the number of schools which cannot now, by the utmost diligence of the Inspectors be visited as often as once in each year, owing in part at least to the other calls made upon the time of those officers, have decided that it is desirable—

1. To expedite the receipt by individual schools of the reports made, after inspection, upon their state; and,

2. To combine the several General Reports in one aggregate form, as a statement from the Committee on Education to Her Majesty in Council.

For the first purpose, instead of printing at the close of the year, the reports made by Her Majesty's Inspectors on individual schools in the fly-leaf of Form X., my Lords will forthwith communicate each of them in manuscript to the correspondent of the school to which they refer.

For the second purpose, their Lordships will make use of all such reports and communications as Her Majesty's Inspectors may furnish, in order to submit an annual statement on the part of the Committee to Her Majesty in Council on the education of the poor generally throughout the kingdom, and comparatively in the several districts.

As neither the particular nor the general reports made by the Inspectors will henceforth have to be printed, my Lords are of opinion that one fortnight will be sufficient for the preparation of such a general review as the Inspector may wish to submit of his year's work to the Committee of Council, and that the residue of the time now allowed (28 days) may be made available for the inspection of schools.

The entries on the fly-leaf of No. X. are to continue to be made exactly as at present, and, in particular, must not be written at greater length.

No part of the fly-leaf will need to be filled up excepting the General Observations.

The reports received or to be received in the fly-leaves of the Form No. X. *up to the end of this month,* will be printed and circulated as usual. *After that date* such reports will be communicated in manuscript as soon as they are received, but will no longer be printed.

I have, &c.

To Her Majesty's Inspector of Schools. (signed) *R. R. W. Lingen.*

— No. 7. —

EDUCATION.

(Parliamentary Paper, No. 464, Sess. 1857–8, H. C.)

COPY or EXTRACTS of CORRESPONDENCE between the Committee of the Privy Council on Education and the Managers of Schools and Her Majesty's Inspectors of Schools, relating to the Distribution, Publication, and Preparation of the ANNUAL REPORTS of the INSPECTORS.

No. 1.

EXTRACT from Instructions, dated 14th October 1851, to Her Majesty's Inspectors of Schools, relative to the preparation of their Reports for the year 1851.

* * * * *

I AM now directed to communicate to you the following instructions from the Committee of Council for your guidance, in preparing your general report.

Their Lordships instruct me to repeat their desire that Her Majesty's Inspectors should make their annual reports with the utmost conciseness, which may be sufficient to show the state and progress of education in their several districts, as it may have come under their own observation, in the course of their inspection since the period up to which their last reports have been brought.

Their Lordships have fixed 20 octavo pages of letterpress as the limit within which (exclusively of the tabulated reports, but inclusively of all other appendices,) their Lordships must

Appendix (F).

must require each inspector's observations to be confined; and their Lordships desire to be understood as naming a maximum, not a minimum limit. Any report which would exceed 20 pages of letterpress will be returned to the inspector, and cannot be printed for presentation until the requisite reduction shall have been made in its length. The bulk of volumes so frequently issued has been made the subject of repeated complaint, and very much interferes with their usefulness.

The Committee of Council does not regard the reports of Her Majesty's Inspectors, when intended for presentation to Parliament, as convenient media through which to circulate schemes of general education. Their Lordships have defined the duties of Her Majesty's Inspectors to consist in collecting facts and information for the guidance of local managers and of Parliament. It is the want of educational data, rather than of speculation and inference, which is felt, and which no persons are in a better position than Her Majesty's Inspectors to supply. Their Lordships, therefore, desire that you should find the materials for your report in the circumstances of the schools which you inspect from year to year.

* * * * *

No. 2.

EXTRACT from similar Instructions, dated 25th September 1852, relative to the Preparation of the Reports for that year.

IN notifying to you their Lordships' directions for the preparation of your general report, I am to request that you will pay particular attention to the instructions contained in the circular letter on this subject, which was addressed to Her Majesty's Inspectors on the 14th day of October 1851, and of which a copy is herewith enclosed.

Their Lordships desire me to state that you will be held responsible for strictly adhering to those instructions, both as regards the length to which your report is limited, and in other respects.

* * * * *

No. 3.

CIRCULAR to Her Majesty's Inspectors of Schools.

(EXTRACT.)

Council Office, Downing Street, London, S.W.,
22 May 1858.

* * * * *

MY Lords have decided that it is desirable—

1. To expedite the receipt by individual schools of the reports made, after inspection, upon their state; and

2. To combine the several general reports in one aggregate form as a statement from the Committee on Education to Her Majesty in Council.

For the first purpose, instead of printing at the close of the year the reports made by Her Majesty's Inspectors on individual schools, my Lords will forthwith communicate each of them in manuscript to the correspondent of the school to which they refer.

For the second purpose, their Lordships will make use of all such reports and communications as Her Majesty's Inspectors may furnish, in order to submit an annual statement on the part of the Committee to Her Majesty in Council on the education of the poor generally throughout the kingdom and comparatively in the several districts.

* * * * *

The reports (respecting particular schools) received or to be received up to the end of this month will be printed and circulated as usual. After that date such reports will be communicated in manuscript as soon as they are received, but will no longer be printed.

* * * * *

No. 4.

(EXTRACT.)

Committee of Council on Education, Downing-street,
Sir, London, S.W., 17 June 1858.

I AM directed by their Lordships to request your attention to the last paragraph in the circular, dated the 22d ultimo.

* * * * *

Since the date of that circular a Treasury Minute, of which I enclose a copy, has been issued on the subject of departmental printing, and a circular founded upon that minute is being

being issued to those managers of schools who have hitherto been in the habit of receiving the official publications of this Committee gratuitously. I enclose a copy of the circular.

In order to dispose of the reports upon particular schools which have been received from you during the nine months between 1 September 1857 and 31 May 1858 consistently with the Treasury Minute, a copy of each such report will be sent forthwith in manuscript to the managers only of the school to which it refers.

I forward, therefore, the file of original reports made by you during the nine months in question for such corrections as you may wish to make in them before they are copied for transmission.

* * * * *

I have, &c.
(signed) *R. R. W. Lingen.*

To Her Majesty's Inspector of Schools.

First Enclosure referred to in preceding Letter (No. 4).

TREASURY MINUTE, dated 31st May 1858, relating to the Printing of Departmental Reports and Papers.

IN the Treasury Minute dated the 10th instant, rules were laid down for controlling the expenditure connected with the printing of Reports of Commissions of Inquiry, and my Lords now proceed to consider the arrangements which will be proper in reference to the periodical and other reports made by the different public departments.

It is shown by a return of the cost of printing departmental reports presented to Parliament by Her Majesty's command, during the Sessions 1856 and 1857, that the total number of copies of papers of this class printed in these two years was 357,650, of which 118,094 were delivered to the public departments concerned for gratuitous distribution, and that the total cost of paper and printing was 24,850 *l.*

This result establishes the necessity of preventing a serious waste of the public money connected with the printing and distribution of such reports, and my Lords confidently rely upon the active support of the heads of the different public departments under whose directions the several reports are prepared.

The first point to be attended to is, that the papers appended to the several reports should be confined within the narrowest practicable limits. A large portion of the expenditure is caused by the increase in the quantity of matter to be printed arising from the greater bulk of the appendices. No paper ought to be included in the "copy" sent to the Stationery Office to be printed until the attention of the chief of the department has been called to it, and his written sanction has been obtained to its being so included. For instance, the officers acting under the superintendence of the Home Office should obtain the sanction of the Secretary of State, certified in the usual manner under the hand of an under secretary, and the same with the officers acting under the Treasury and other superintending departments.

The next point is the numbers of copies required for distribution to Members of Parliament, and for sale to the public as Parliamentary Papers. This is ascertained by inquiries addressed by the Comptroller of the Stationery Office to the Librarian of the House of Commons and the Clerk to the House of Lords; and in this respect my Lords do not conceive that any further arrangements are required.

The last and most important point regards the numbers of copies of reports and papers required by public departments for gratuitous distribution. These, my Lords are satisfied, have, in numerous instances, been carried to excess; and, besides entailing a heavy and rapidly-increasing expense upon the public, the practice is at variance with sound principle. In the great majority of cases, from 25 to 50 copies of a report or paper would be quite enough for gratuitous distribution; and, except in rare instances, and under very peculiar circumstances, the latter limit ought not to be exceeded. Such reports and papers as are gratuitously distributed are not always given to those who are best entitled to receive them, or best able to make good use of them, and they are, consequently, but little read or cared for. Inasmuch, however, as they are all sold, as Parliamentary Papers, at such low prices as to be within the reach of all classes of individuals, the objects to be gained by their circulation would be more likely to be realised by their being sold than by their being given away; and, to facilitate their sale, and make them known to the public, my Lords will not object to the Comptroller of the Stationery Office being authorised to advertise those of most importance, according to the practice which has been followed with much success for many years in reference to the Ordnance Maps and Record Publications, as described in the Treasury Minutes, copies or extracts of which are annexed.

My Lords cannot, therefore, consent that more than 50 copies of any departmental report or paper should in future be printed for gratuitous distribution, without an application, stating in detail the reasons why an increased number of copies are required, having been previously made to this Board, and sanctioned by it; and the Comptroller of the Stationery Office is directed not to print more than 50 copies of any such report or paper for gratuitous distribution, unless he is specially instructed by my Lords to print a greater number.

It will be the duty of the Comptroller of the Stationery Office to see that the Ap-

Appendix (F).

pendices are printed with due economy, small type and double columns being invariably made use of.

Transmit copies of this Minute to all the departments of Her Majesty's Government, and to the Lord Lieutenant of Ireland, and request their co-operation in giving full effect to the arrangements proposed to be made.

Transmit a copy to the Comptroller of the Stationery Office, for his information and guidance.

Treasury Minute, dated 15th March 1850.

Write to the Secretary of the Ordnance that my Lords have had before them his letter of the 11th instant, transmitting a list of persons, offices, societies, &c., to whom the presentation copies of the Ordnance maps, on the scale of one inch to a mile, have been from time to time, and continue to be supplied, and that their Lordships agree with the Master-General and Board in the view taken by them on this subject, and desire that, with the exception of the copy submitted to Her Majesty, and those presented to the King of the Belgians, Marshal Soult, and the Government of France, the grant of the Ordnance maps should be discontinued to those individuals, societies, and institutions, to which, according to the list referred to, they have hitherto been presented, leaving it to the parties concerned to purchase them of the Ordnance agents or not, as they may think proper.

Copies of the maps required for the use of public offices will be furnished through the Stationery Office, in the manner directed by the order of this Board, dated 24th August last.

Extract from Treasury Minute, dated 30th March 1849.

My Lords suggest, for Sir G. Grey's consideration, whether the practice of making grants of Record publications to public functionaries should be continued. These works have been compiled and printed at a heavy expense; and it appears to this Board that the object of preventing a speedy exhaustion of the stock, and of making the remaining volumes as generally useful as possible, will, with rare exceptions, be best attained by leaving them to be disposed of at the moderate prices which have been fixed upon for their sale.

Extract from Treasury Minute, dated 13th July 1852.

My Lords refer to their Minute of 30th March 1849, in which they expressed their opinion of the inexpediency of making numerous gratuitous donations of Record works prepared at the public expense; it being considered by my Lords that, after the delivery of copies to Her Majesty and those public departments to which libraries are attached, a moderate fixed price, to be required from all individuals and public bodies or institutions, would alone afford a reasonable security that the works would fall into the hands of those who would duly appreciate them.

My Lords continue to entertain this opinion, and they accordingly desire that the list for the distribution of the six volumes now about to be published, received from the Commissioners of State Papers, may be reduced as follows:—[&c.]

Second Enclosure referred to in preceding Letter (No. 4).

Education Department, Privy Council Office,
Downing-street, London, S.W.,
June 1858.

(Circular.)

Sir,

I am directed to take the occasion of forwarding the volume of Minutes and reports of this Commitee for the year 1857–8, to inform you that no distribution of such volumes will be made gratuitously in future years.

These volumes, like other Parliamentary publications, may be purchased through any bookseller by means of his London agent, or directly, from Mr. Hansard, printer to the House of Commons, at 32, Abingdon-street, Westminster, and 6, Great Turnstile, Lincoln's-inn-Fields; and from Messrs. Eyre and Spottiswoode, the Queen's printers, at the Sale Office, House of Lords, and East Harding-street, Fleet-street.

Each future volume, as it is ready for purchase, will be duly advertised in the public papers.

The reports of inspectors on individual schools will no longer be collected for annual printing, but the substance of them will be communicated in manuscript as soon as possible after they are received, to the several correspondents of the schools to which each report refers.

The

The copy of the report on your school herewith enclosed is the one which, under the system hitherto in force, was intended to be printed for the year ending 31st August 1858. The next report will be communicated to you much more closely after the inspector's visit.

I have, &c.,
(signed) *R. R. W. Lingen.*

No. 5.

(Extract.)

My Lords, London, 26 June 1858.

Since receiving the circular addressed to us by your Lordship's Secretary, bearing date 22d May 1858, concerning the publication of the general and tabulated reports of Her Majesty's Inspectors of Schools, we find, on conference, that a very strong opinion prevails among our body, that the measure proposed is likely to be highly detrimental to the cause of elementary education.

The publication of those reports, together with the Minutes of the Committee of Council on Education, is the only means by which persons interested in the subject can acquire any direct information on the state of individual schools in large districts, of the proceedings of the various bodies by whom the people are educated, and of the general progress of education in the country. Any reduction of these reports to a compendious abstract or summary would deprive them of their chief value. At present each report is the testimony of one person, wholly occupied with the business of education, practically conversant with all the details of school work, in the habit of intimate and confidential intercourse with school managers, and presiding over a district of which every part has come under his inspection during a period of time extending in most instances over several years. His testimony is that of an individual acting under your Lordship's authority, and in accordance with certain definite regulations, but with considerable independence of action, certainly with entire independence of judgment. Whatever doubt might exist as to the absolute value of the opinions of any individual inspector, none whatever has been expressed as to the honesty, the fairness, the impartiality, the freedom from all sectarian or political bias, which have characterised the reports of the inspectors as a body. If, in place of these reports, a condensed summary be substituted, that summary must either suppress all discrepancies of opinion and experience on matters of essential interest, or, on the other hand, must forfeit all pretension to fixed and harmonious principles, and therefore can retain little weight or value. We venture moreover, with all respect, to express our doubt whether any officer of the department, not being an Inspector, can have that practical and detailed experience of school matters which would make him a competent judge as to what portions of the reports are most important with reference to their bearing on education.

We cannot refrain from stating our opinion, that while the suppression of these reports would deprive Parliament of the only means of knowing directly what is done in schools, the effects of such a measure upon the influence of the inspectors in their districts would be to the last degree injurious. * * * An inspector who has no opportunity of laying before the public his remarks upon the defects of bad schools, will be deprived of the most effectual means of inducing the managers to adopt the requisite measures for their removal. On the other hand, it is most certain that the published reports upon schools conducted with liberality, zeal, and ability have produced a strong and marked effect upon the country in general, and more especially upon the districts in which those schools are situated. We are quite convinced that there is no one district in the island in which the progress of education, the amendment of recognised faults, the supply of deficiencies in existing schools, and the erection of new schools on the most approved system, have not directly and demonstrably been brought about by these reports, coming with all the weight of the inspector's practical knowledge and extensive experience, enforced both by public opinion and by the highest sanction. We do not doubt that if the publication of our reports, both general and tabulated, be suppressed, or if they be reduced to a mere summary, one very speedy and visible result will be that liberal managers and able teachers will feel discouraged by the silencing of that recognition which they have been accustomed to value, as bearing the stamp of official approbation, and as being published under the authority of Parliament: while the indolent, the inefficient, and the indifferent will have cause to rejoice in their immunity from public censure. Upon no one point in connexion with this subject are the inspectors more decided and unanimous than with reference to the evil which would presently ensue upon the withdrawal of what is regarded respectively with such very opposite but equally salutary feelings of encouragement and apprehension by the industrious and the undeserving. And we earnestly deprecate a measure which would nullify our influence where it acts most beneficially for the cause of education.

But we must further observe that the remarks annually published upon the results of methods of instruction, school organisation, and the principles of teaching, have a very peculiar interest and value, precisely because they represent the opinion of persons who, having ample opportunities of observation, are actuated by no general prejudices or common bias.

One effect of this system of independent observation and action seems to us of the highest importance, although it has been generally overlooked. In their reports the inspectors have never combined to introduce any one particular system of method or organisation.

Appendix (F).

They have not judged schoolmasters in reference to any arbitrary standard. Every new method and system is brought under their notice, and carefully watched by them, under every variety of circumstances.

The result has been a remarkable freedom from prejudice. They have strengthened—we venture to believe that they have in great part created—the conviction now generally entertained by the most competent judges, that the success of education depends chiefly upon the knowledge, skill, energy, and conscientiousness of the teacher;—secondarily upon the external organisation of schools, and the supply of requisite apparatus;—and to a very small extent indeed upon any special system or method which the managers may think fit to adopt. Had indeed such a measure as is now contemplated, been acted upon from the first appointment of inspectors; had the expression of their several and independent opinions been suppressed, or produced only in a summary prepared at the office, the result would have been indeed far different. There would have been a continual discouragement of all systems excepting that which happened to be enjoying a transient popularity; there would have been frequent attempts to introduce ingenious, but often impracticable novelties which might casually float into favour, while the issue would either have been a mechanical and pedantic system of elementary instruction, or a general determination on the part of managers to exclude inspectors and the system which they represent, altogether from their schools.

* * * * *

With the utmost deference, therefore, and in the most respectful spirit, we venture to solicit your Lordships to bestow a reconsideration upon so much of your secretary's letter of the 22d of May as relates to the publication of our general and tabulated reports.

* * * * *

We have, &c.

(signed)

F. C. Cook.	*J. Cumming.*	*E. P. Arnold.*
H. W. Bellairs.	*H. L. Jones.*	*H. B. Barry.*
Fredk. Watkins.	*W. J. Kennedy.*	*W. Birley.*
E. D. Tinling.	*J. Lawrie.*	*W. Campbell.*
M. Mitchell.	*T. W. M. Marshall.*	*H. M. Capel.*
J. J. Blandford.	*G. R. Moncrieff.*	*J. G. C. Fussell.*
W. H. Brookfield.	*J. D. Morell.*	*J. D. Glennie.*
D. J. Stewart.	*J. R. Morell.*	*A. R. Grant.*
W. P. Warburton.	*J. Ruddock.*	*J. W. D. Hernaman.*
M. Arnold.	*W. Scoltock.*	*W. W. Howard.*
J. Bowstead.	*S. N. Stokes.*	*R. E. Hughes.*
H. G. Bowyer.	*E. C. Tufnell.*	*R. L. Koe.*
T. B. Browne.	*J. Woolley.*	*T. W. Sharpe.*
B. M. Cowie.	*E. Woodford.*	

The above names, 41 in number, have been attached by me with written authority.

(signed) *W. H. Brookfield.*

To the Right Honourable
The Lords of the Committee of Council on Education.

No. 6.

Sir, Ardrossan, July 1858.

We have been requested to unite in a representation to be made to the Committee of Council by other inspectors upon the intended change in regard to the publication of reports, and in reply we have addressed to them the letter, of which we beg to transmit to you the enclosed copy.

We have, &c.

(signed) *John Gordon.*
Charles E. Wilson.

The Secretary
Privy Council Committee on Education.

Enclosure referred to in preceding Letter. (No. 6.)

Copy Letter Mr. *Gordon* and Mr. *Wilson* to Mr. *Brookfield.*

Sir, 9 July 1858.

We have perused with much interest and with the most respectful attention the letter proposed to be transmitted to the Committee of Council upon the changes lately announced in regard to the publication of inspectors' reports, and beg to state shortly the view of this matter which we have been led to take.

The letter makes no allusion to the tabulated reports; in this implied assent to the discontinuance of their publication we concur.

In reference to the general reports, the circular of 22d May intimates the intention "to combine

combine the several general reports in one aggregate form as a statement from the Committee of Council." Another expression in the circular leaves more doubt what the exact form or composition of the aggregate report is to be; but, for anything that appears, it may present, either *in gremio*, or appended, the opinions of each inspector, or at least the most essential points, as fully, as prominently, and as much in his own terms as has hitherto been customary. The points we refer to are such as relate to the principles and practice of education; the consideration and the survey of which form the inspector's most proper occupation. On such points it is unlikely, we think, that the Committee of Council will report *in propriâ personâ*. The aggregate report will, no doubt, present diversities of opinion; but this would occasion no real incongruity in a document which professes to be made up in the manner mentioned in the sentence above quoted. For this reason we think it desirable that the letter should not wholly exclude from view the possibility of the arrangement being such as would prove satisfactory, and as it is framed on the contrary supposition, our signatures are not added.

We agree in thinking it important that the inspectors' reports should continue to be printed and published; for these reasons mainly, that they have been of much interest and of much professional advantage to the teachers, upon whom, as well observed in the letter, the hopes of educational improvement must chiefly rest, and that the inspector's work does not come to its proper issue, nor attain some of its best effects, until his experience has been deliberately considered by himself in a general way, and communicated to those who may be supposed interested in knowing what that experience has been. May we not add that the preparation of the general report, with a view to its publication, has for the inspector himself the advantage of improving his thoughts by fixing them more closely upon the matters of his duty, and so fitting him for the active discharge of it with more efficiency. It does not appear to us, therefore, that the general reports admit of having less time or less care bestowed upon them than heretofore, or of their being made less accessible to teachers. We speak of the reports as strictly of a pedagogical description.

A report by the Committee of Council cannot fail, we think, to be of great benefit to the cause of education; explaining, as it may be expected to explain, the principles and the principal acts of their administration; perhaps, also, the need of public aid which still exists so generally throughout the country; the varying extent of the local, and voluntary efforts in behalf of education; the disposition of the people towards it; and, when any information on such points happens to be communicated by inspectors, we, for our part, should expect the Committee of Council to make due account of it.

We have, &c.
(signed) *John Gordon.*
Charles E. Wilson.

No. 7.

(Extract.)

Privy Council Office, Downing-street,
Rev. Sir, 22 July 1858.

THEIR Lordships have received a printed memorial remonstrating against their circular of the 22d May, which intimates their intention of presenting the annual reports to Parliament in an altered form.

This memorial is signed by many of the inspectors of schools. Their Lordships have also received the expression of a different opinion from others of that body.

Their Lordships consider it to be advisable, for the interests of the public service, that the information of the state of each individual school should be given to that school forthwith after its inspection, instead of being laid by for printing in a tabulated summary at the end of the year.

They think it also desirable that the annual report of the Education Department should be addressed by themselves to Her Majesty in Council.

Their Lordships are far from undervaluing the services which the inspectors have rendered to the cause of education, or the importance of the suggestions which their experience has from time to time enabled them to furnish.

Their Lordships have no intention to suppress the information contained in inspectors' reports * * * strictly confined to the results of the experience gained in the course of school-inspection.

* * * * * *

I have, &c.
(signed) *R. R. W. Lingen.*

The Rev. F. C. Cook,
Her Majesty's Inspector of Schools.

Appendix (F).

No. 8.

Council Office, Downing-street,
23 July 1858.

Sir,

I AM directed to acknowledge the receipt from yourself and Mr. Wilson of a copy of a letter addressed by you to such of your colleagues as have memorialised their Lordships on the subject of the circular of 22d May 1858, relative to the use to be hereafter made of the reports of Her Majesty's inspectors.

You have accurately understood the meaning of that circular, when you say that the aggregate report, of which their Lordships speak, "may present, either *in gremio*, or appended, the opinions of each inspector, in at least the most essential points, as fully, as prominently, and as much in his own terms, as has hitherto been customary."

I have the honour to enclose, for your own and Mr. Wilson's information, a copy of the reply made to the memorialists.

I have, &c.
(signed) *R. R. W. Lingen.*

John Gordon, Esq.,
Her Majesty's Inspector.

— No. 8. —

ANNUAL REPORTS.

Education Department,
Privy Council Office, Downing-street, S.W.,
4 November 1858.

Sir,

I AM directed to request that you will proceed to prepare your annual Report to their Lordships upon the state of education among the children of the labouring classes in your district, so far as it may be gathered from facts connected with your inspection of schools during the year ending 31st August 1858.

The copy of your Report must be sent in not later than the 22d of January 1859; but the earlier you can forward it, the better.

In lieu of the 28 days hitherto taken for the preparation of this Report, 14 days only, exclusively of Saturdays and Sundays, will now be allowed. Of the 14 days, so set at liberty, seven will be added to the 36 days now given for vacation, and seven to the work of school inspection.

By this last arrangement, their Lordships have done all they consider to be in their power to meet the wishes expressed by Her Majesty's Inspectors on the subject of their employment.

In order that effect may be given to that part of the recent instructions, dated 22d May and 22d July 1858, whereby it is provided that the Report of the Education Department shall be addressed by their Lordships to Her Majesty in Council, but that no part of any Inspector's Report, which is confined to the results of his individual experience gained in the course of school inspection shall be suppressed, I am to desire that you will arrange together, under one head, all the remarks which you may have to make upon the same subject; and that you will insert, both in the body of your Report and in a wide margin, the several titles into which you divide your Report.

Every report of school inspection must necessarily divide itself under all, or some, of the following heads, viz.:

Number and progress of schools inspected.
Management and superintendence.
Finance.
Condition of premises and furniture, including books.
Efficiency of teachers.
Character of scholars (attendance, attainments, social rank).
Organization.
Methods.
Discipline.

Subsidiary information and practical suggestions may be added.

My Lords do not seek to prescribe on how many, or on how few, of these heads you shall report. Their wish is, that every inspector, confining himself strictly to his own experience, should furnish my Lords with his remarks in such a digested and distributed form as will readily admit of their being collated with those of his colleagues upon the same points, although under his own name, and in his own words.

The Report should be written on one side only of each sheet (not on front and back).

Under the head of experience, my Lords include all such information, recommendations, and suggestions, as are immediately based upon, and can be illustrated by, every Inspector's own knowledge obtained in the course of his inspection.

Their Lordships consider it their especial duty to submit to Her Majesty full information as to whether the Parliamentary grant is applied according to its intention, and whether the result is satisfactory; and they request the Inspectors as much as possible to furnish them with reports in such form as may best assist them in carrying that object into effect.

I have, &c.
(signed) *R. R. W. Lingen.*

Her Majesty's Inspector.

— No. 9. —

Education Department, Council Office,
Sir, 16 March 1859.

If the enclosed proof is not received back from you corrected before Tuesday, the 22d instant, my Lords will consider that you have no corrections to make in it, and the press will proceed.

No proof beyond a second will be furnished for correction.

The portions of the Report which are cancelled in pencil have been read by my Lords, but are not considered to come within the heads of subjects which they have prescribed.

I am to request that you will return the manuscript.

I have, &c.
To the Rev. H. W. Bellairs, (signed) *R. R. W. Lingen.*
Her Majesty's Inspector of Schools.

— No. 10. —

Copy of Minute of 31 January 1861.

Their Lordships having considered the instructions issued from time to time to Her Majesty's Inspectors of Schools for the preparation of their annual reports, find the sum of those instructions to be that the inspectors must confine themselves to the state of the schools under their inspection, and to practical suggestions for their improvement.

If any report, in the judgment of their Lordships, does not conform to this standard, it is to be returned to the inspector for revision; and if, on its being again received from him, it appears to be open to the same objection, it is to be put aside as a document not proper to be printed at the public expense.

— No. 11. —

Copy of Letter instructing Her Majesty's Inspectors to report.

Inspection.

Education Department, Privy Council Office, London, S.W.,
Sir, 15 August 1861, and 27 August 1862.

The year is just ending (31st August 1861) for which, in pursuance of the usual instructions, your general report to the Committee of Council is to be made.

I am directed to furnish you with the subjoined copy of a Minute, in which their Lordships have summed up the instructions previously issued to Her Majesty's Inspectors upon the subject of these reports, and in which they have signified the course that will be adopted in cases where those instructions are not observed. *See* preceding Minute of 31 Jan. 1861.

The copy should be in my hands not later than the 21st January 1862; but it would be convenient to receive it before the commencement of the Christmas examinations, in order that the volume may be printed and submitted to Parliament as soon after the commencement of the Session as possible.

I have, &c.
Her Majesty's Inspector of Schools. (signed) *R. R. W. Lingen.*

— No. 12. —

Copy of additional paragraphs in Circular calling for Report in 1863.

By the term "state of schools under your inspection," you will understand facts observed within the circle of your official experience; and by the term "practical suggestions for their improvement," you will understand suggestions consistent with the principles of Minutes sanctioned by Parliament.

Your report is to be based upon the schools which you have inspected in the year, independently of any change of district.

— No. 13. —

Inspector, Education Department, Privy Council Office, London, S.W.,
Rev. Sir, 1861–2–3.

I am directed by their Lordships to forward for your information the enclosed circular of 27 August 1862, and to call your special attention to the Minute which appears on page 2.

Your general report for the year 1862 is herewith returned, in accordance with the second paragraph of that Minute.

I have, &c.
Her Majesty's Inspector of Schools. *R. R. W. Lingen.*

Appendix (F).

— No. 14. —

Copy of Vice President's Order of 14 February 1862.

Mr. Tilleard,

Mr. Lowe directs—

1. That Mr. Watkins' General Report shall not be printed.
2. That no red ink marks shall be made on the Inspectors' MS. reports. The best way will be to turn down the corner of the leaf of the page to which attention is to be drawn.

(signed) *W. F. E.*

— No. 15. —

General Instructions to Inspectors on Appointment.

No. 1.

Committee of Council on Education,
Privy Council Office, London,

Sir, 186 .

Adverting to the appointment which you are about to receive as one of Her Majesty's Inspectors of Schools, I beg leave to furnish you with the following instructions:

You should peruse the following explanatory memorandum headed "Inspection," especially the note [*according to the denomination of the schools, to inspect which the Inspector is appointed*].

You will find the instructions originally issued to Her Majesty's Inspectors of Schools, at page 22-31 of the first volume of the Minutes for 1844.

Those instructions, subject to the Minutes specially affecting particular classes of schools, continue to indicate the general principles by which Her Majesty's Inspectors are guided in the discharge of their duties.

You are, however, doubtless aware that, since the time of issuing those instructions, the application of the Parliamentary grant for Education has been materially extended, and that, in consequence, a great increase has taken place in the quantity, and change in the form, of the details required to be brought under the notice of Her Majesty's Inspectors.

The principal extension of the operations of the Committee occurred in 1846, when grants, depending upon reports by Her Majesty's Inspectors, began to be made towards the annual maintenance of schools.

The Code, of which, with instructions thereon and supplementary rules, a copy is enclosed, contains the information which you will require. The greater part of your duties will fall under Articles 38–93, and (in December) Articles 103 and 119; but you will do well to make yourself familiar with the rest.

So far as the reduction to practice of these regulations is concerned, it consists partly in inspecting and examining schools, and partly in reporting on them to the Committee of Council.

As regards instruction in the former branch of your duties, you will be good enough to put yourself at the disposal of ,
Her Majesty's Inspector, addressing him at this office, in order to arrange a preliminary tour of inspection in his district.

As regards instruction in reporting, you may, while this preliminary tour is in course of arrangement, usefully attend for two or three days at the Council Office, and assist the officers who are charged with examining and digesting the Reports of Her Majesty's inspectors. You will thus learn how the various particulars required in the forms bear upon the ultimate decision of each case; and you will be enabled to save, both to the managers of schools and to yourself, much future trouble in the way of repeated references, by supplying at once the exact information that is needed. Copies of the forms which inspectors chiefly have to use in reporting on schools are enclosed.

XIX.
VIII.
IX.
X.
Examn. Sched.

Your appointment is understood to be incompatible with your retaining or accepting any other employment of a nature not to leave your time unreservedly at the disposal of the Committee of Council, in whatever part of the country my Lords may see fit to place you.

You will be required to reside within the district assigned to you at some spot convenient for the discharge of your duties without unnecessary expense in travelling.

The payment of your salary, and the calculation of its triennial increase, will commence from the day on which you assume the continuous discharge of actual duty.

Such of the recent volumes of Reports presented by the Committee of Council to Parliament as can be spared will be forwarded to you for your official use and information.

I have also to add that your appointment is to be regarded as probationary until the end of three years from the date hereof.

I have the honour, &c.

No. 2.

(Copy.)

Committee of Council on Education,
Council Office, Downing-street, 24 May 1852.

Reverend Sir,

Instructions for meeting inspection of schools.

I HAVE to request your careful attention to a point of great importance in regard to the administration of their Lordships' Minutes, so far as they regard annual grants for the maintenance of schools. Such grants pre-suppose that one of Her Majesty's Inspectors has visited and reported upon each school to be aided in each year.

The Reports of Her Majesty's Inspectors constitute the foundation of the whole system.

It follows, therefore, that an extension of the system is limited by the number of Inspectors, and, this being the case, it becomes a material consideration to watch the multiplication of engagements with reference to the means of meeting them.

The schools in your district may be regarded as:

(1.) Schools simply liable to inspection.
(2.) Schools in which annual grants are payable.
(3.) Schools applying to be admitted to the receipt of annual grants.

Schools falling under the first division rest for inspection on Articles 5, 18–19.

Schools falling under the second division constitute positive engagements, which must be met according to Articles 16, 17.

Schools falling under the third division should be admitted only as there is a reasonable prospect of being able to inspect them, and accordingly every such case, when found to be *prima facie* admissible, will be referred to Her Majesty's Inspector in the Form No. 5 (see copy annexed); the three first columns of it being completed in this office, and the last column only remaining for the Inspector to fill up.

At this stage of each case, it is desirable that Her Majesty's Inspectors should consider the month named, in relation to the effect of this new engagement on others to which they are already committed.

If it should appear that, after allowing for all due considerations of time and place, the inspection of the school in question cannot be suitably undertaken, Her Majesty's Inspector is at liberty to make an entry to this effect in the Form No. 5, and my Lords will undertake to have the requisite communication made to the managers from this office.

Cases so postponed will be collected, and the number of them will be a guide for my Lords in determining whether, when, and how far to augment the staff of Inspectors.

I have, &c.
(signed) *R. R. W. Lingen.*

To the Rev. ———
Her Majesty's Inspector of Schools.

Form No. 5.

Name of School.	County and Month or Months already fixed for visiting Schools therein.	Number of Schools, with Annual Grants, to be visited in same Month or Months.	Month proposed for Annual Visit.

(signed) _____
Her Majesty's Inspector of Schools,
this day of 185

INSPECTION.—EXPLANATORY MEMORANDUM.

THE principle of inspection, as a condition of all grants from the Education Fund, is affirmed by an Order in Council, dated 3d June 1839, to the effect that "the Committee recommend that no further grant be made, now or hereafter, for the establishment of any school, unless the right of inspection be retained, in order to secure a conformity to the regulations and discipline established in the several schools, with such improvements as may from time to time be suggested by the Committee." This order is interpreted generally by the Minute of the 24th of September 1839, which prescribes (*inter alia*) that "the right of inspection will be required by the Committee in all cases. Inspectors authorised by Her Majesty in Council will be appointed from time to time, to visit schools to be henceforth aided by public money. The inspectors will not interfere with the religious instruction, or discipline, or management of the school; it being their object to collect facts and information, and to report the results of their inspection to the Committee."

Appendix (F).

The foregoing Order in Council and Minute have been adapted, by various supplementary Minutes, to the schools of different denominations, *e. g.*, to schools connected with the Established Church of Scotland, by a letter dated 4 January 1840, (Note A); to schools connected with the Church of England, by the Order in Council dated 10 August 1840, (Note B); to schools connected with the British and Foreign School Society, by a letter dated 30 November 1843, (Note C); to Wesleyan schools, by part of a Minute dated 28 June 1847, (Note D); to schools connected with the Free Church in Scotland, by an assurance given to a deputation in an interview with the Lord President, and officially recorded in 1847, (Note E): to Roman Catholic schools, by part of a Minute dated 18 December 1847, (Note F); to Jewish schools by part of a Minute dated 10 December 1851, (Note G).

(A) Minutes, 1839–40, p. 19.
(B.) Minutes, 1839–40, p. ix.
(C.) Minutes, 1842–43, p. 537.
(D.) Minutes, 1846, Vol. 1, p. 21.
(E) Minutes, 1847–8, vol. 1, p. lxiv.
(F.) Minutes, 1847–8, Vol. 1, p. xlviii.
(G) Minutes, 1851–2, Vol. 1, p. 36.

(Copy.) (Note A.)

Committee of Council on Education,
Privy Council Office, Downing-street, 4 January 1840.

Sir,

I am directed by the Committee of Council on Education to acknowledge the receipt of your letter dated 19th December. I am also to acknowledge the receipt of the Report made by the Education Committee of the General Assembly, "on the returns from Presbyteries regarding the examination of schools in the year 1839," which my Lords have perused with great interest and satisfaction.

The Committee of Council direct me to inform you, in reply to your inquiries, that the Inspectors of Schools aided by public grants are appointed by Her Majesty in Council, on the recommendation of the Committee of Council on Education; and, in order to afford you the fullest information respecting the duties of the Inspectors, my Lords direct me to transmit the inclosed copy of instructions * addressed to the Inspectors for England and Wales. Instructions framed on the same principles, but modified so as to render them applicable to any peculiar circumstances in Scotland, will be issued to the Inspectors for that country. With respect to such modifications, my Lords will be glad to receive any observations from the Committee of the General Assembly.

* Minutes, 1839–40, p. 22, also Minutes, 1844, Vol. 1, p. 22.

In these documents you will perceive that the inspection of schools is intended to be a means of co-operation between the Government and the ministers, local committees, and trustees of schools, for the improvement and extension of elementary education; and my Lords embrace the opportunity of expressing their intention to co-operate with the Church of Scotland for the attainment of these results, as regards the schools which are placed by law, or by the condition of their endowments or constitution, under the superintendence of the Church of Scotland.

In further reply to your inquiry, my Lords direct me to assure you that, with respect to these schools, my Lords will at all times feel it their duty to communicate and co-operate with the Education Committee of the General Assembly, and will direct copies of their Inspectors' reports to be transmitted to the Committee from time to time.

My Lords conceive this co-operation may best be promoted by selecting, for the inspection of such schools, gentlemen who possess the confidence of the Church of Scotland, while their acquaintance with all the technical details of elementary instruction, and their zeal for the education of the poorer classes, will afford a guarantee that they are fit agents for promoting the improvement and extension of such elementary education as may secure the religious and moral improvement of the children of the poor.

The Committee of Council consider that much advantage will arise from their Lordships having the opportunity of consulting the Education Committee of the General Assembly, with respect to the selection of the Inspectors of such schools; before, therefore, a recommendation of any gentleman for this office is made to Her Majesty in Council, my Lords will communicate the name to the Committee of the General Assembly for their observations.

I have, &c.
(signed) *James Phillips Kay.*

John Gordon, Esq.,
Secretary to the Education Committee of the
General Assembly of the Church of Scotland.

(Note B.)

Extract from Order in Council dated 10 *August* 1840.

"We, the Lords of the Committee of Council on Education, beg leave humbly to recommend to your Majesty, that the following arrangements be made for the inspection of such schools as are in connection with the National School Society, or with the Church of England:—

"1. That, before we recommend to your Majesty any person to be appointed to inspect schools receiving aid from the public, the promoters of which state themselves to be in connection with the National Society or the Church of England, we should be authorised to consult the Archbishops of Canterbury and York, each with regard to his own province, and that the Archbishops should be at liberty to suggest to us any person or persons for the office of Inspector, and that without their concurrence we should recommend no person to your Majesty for such appointment.

"We further beg leave to recommend to your Majesty that, if either of the Archbishops should at any time, with regard to his own province, withdraw his concurrence in our recommendation of such appointment, your Majesty would be graciously pleased to permit us to advise your Majesty to issue your Order in Council, revoking the appointment of the said Inspector, and making an appointment in lieu thereof." Appendix (F).

(Note C.)

(Copy).

My dear Sir, Wortley Hall, Sheffield, 30 November 1852.

Upon further consideration of what passed between Mr. Foster and you and myself on Monday last, I think it is desirable that you should be able, at your meeting with your Committee, to state to them exactly what the course is which the Committee of Council propose to pursue with regard to the appointment of Inspectors of Schools connected with the British and Foreign School Society. I therefore, for this purpose, refer you to pages 19 and 20 of the volume of the Committee of Council's Reports for 1839-40, containing a letter from Mr. Gordon, Secretary to the Education Committee of the Church of Scotland, and the answer of the Committee of Council, upon the subject of the appointment of Inspectors for the schools in connexion with that church.† Those are the precise grounds upon which we are desirous of placing the appointment of Inspectors for your schools, and no Inspector for them will be appointed without the full concurrence of your Committee.

† See *supra*, Note (A).

I earnestly hope that your Committee will be convinced, by the proposal of the Committee of Council, to adopt that course, of their anxious wish to do everything they can, consistently with their duty, to satisfy the British and Foreign School Society upon this important subject.

I am, &c.

Henry Dunn, Esq., (signed) *Wharncliffe.*
Secretary to the British and Foreign School Society.

(Note D).

"The Committee of Council on Education having in a preceding part of this letter signified their readiness to admit schools recognised by the Education Committee of the Wesleyan connexion to a participation in the Parliamentary grant, on the conditions common to other schools, their Lordships are disposed to provide for the inspection of Wesleyan schools in a manner similar to that by which they have provided for the inspection of British schools.

"In appointing Inspectors of British schools, my Lords have not consented to admit, as a valid objection to the appointment of an Inspector, that he did not belong to some particular religious communion. Their Lordships have desired to select, for such appointments, gentlemen who would impartially perform the duties of their office, while they acted in harmony with the religious communion with which the schools inspected by them were connected. But they have not for this purpose considered it desirable, or scarcely practicable, that each Inspector should belong to the religious communion with which the schools inspected by him were associated. It is obvious that such arrangements would involve the inspection of schools in much practicable embarrassment, and that it could not be conducted on this plan without an unnecessary addition to the number of Inspectors, nor without a large increase of the pecuniary charge of such inspection to the Government.

"With this general explanation, their Lordships desire to assure you that they are anxious to appoint, as Inspectors of Wesleyan schools, such persons only as may obtain the confidence and support of the Education Committee of the Wesleyan Conference, and that they will not recommend any person to Her Majesty for such appointment without previously consulting the Wesleyan Education Committee.

"They intend, for the reason previously stated, that the persons so appointed shall also, under similar provisions as to their appointment, be employed in the inspection of other schools."

(Note E).

It was also explained that in the case of schools connected with the Free Church of Scotland, the same assurance would be given as in the case of schools belonging to several other religious bodies, that any Inspector named by Government for these schools would be one of whom the Church, through the General Assembly or its Committee, expressed approbation.

(Note F.)

"That Roman Catholic schools receiving aid from the Parliamentary grant be open to inspection, but that the Inspectors shall report respecting the secular instruction only.

"That the Inspectors of such schools be not appointed without the previous concurrence of the Roman Catholic Poor School Committee."

Appendix (F).

(Note G.)

"That Jewish schools receiving aid from the Parliamentary grant be open to inspection, but that the Inspectors shall report concerning the secular instruction only.

"That those only of Her Majesty's Inspectors who are laymen be employed in the inspection of Jewish schools."

Salaries of Inspectors.

The Salary begins at 200 *l.* per annum, and rises, by 50 *l.* at the end of every third year of service, to 600 *l.* (maximum).

A special addition of 75 *l.* is made, over and above the triennial augmentation, when an inspector has served with more than ordinary merit during 10 years.

An addition of 50 *l.* is made on 30th June in each year, provided that the Inspector has, within the 12 months then ending, himself examined, according to the standards of the Revised Code, and marked in the official schedules—

(*a*) 12,000 children at the least; or

(*b*) Those presented for examination in the whole number of schools which he has been instructed to visit; or

(*c*) One-third of the whole number examined and marked in his district after the appointment of an assistant.*

These provisions may be varied after further experience.

A fixed sum of 250 *l.* per annum is allowed, besides the salary for the time being, on account of the Inspector's personal expenses while he is absent from home, in the discharge of official duty.

The cost of actual locomotion in the public service is reimbursed by quarterly payments.

Employment of Inspectors.

A short weekly return (Diary) showing the employment of each day, and the expenses of which reimbursement is claimed, is posted on each Saturday by the Inspector to the Council Office. These diaries, as they are received, undergo strict examination.

The Lord President has caused the following regulations to be issued for the purpose of adopting the scheme of 2d December 1843 (Minutes 1842-3, p. 23), to the present time:—

1. Deducting Sundays, Christmas Day, Good Friday, the Saturday following it, and one other day in each week (for correspondence, reporting, special conferences, and the like) from the days of the year, there remain 365—107=258 days, from which latter number again 43 days may be deducted for vacation and private business, and 14 days for writing and printing (in alternate years) a general report. The net result of these calculations leaves to each Inspector 201 days, and 215 days, available, in alternate years, for ordinary business, or for such other business as may be indicated by special instructions. Ordinary business consists of the inspection and examination of schools, with occasional collective examinations of pupil-teachers and candidates for that office.

2. The Lord President reminds H. M. Inspectors that appointments may be made for half days, by fixing the morning for one school and the afternoon of the same day for another. This is peculiarly important to bear in mind with regard to schools which lie near together, and where inspection and examination must occupy more than one day.

3. Schools not receiving annual grants ought never (unless under very unusual circumstances) to occupy more than a single day.

4. The

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* Extract from Minute of 19th May 1863:

Their Lordships, in order to provide further for the examination of individual children according to the Revised Code, resolved to appoint, as occasion might require, Inspectors' Assistants, upon the following terms:—

1. Qualified candidates must (*a*) have been pupil-teachers; (*b*) have been trained during two years in a college of the same denomination as the elementary schools in which they are to examine; (*c*) have passed each of their examinations without failure, and at the last of them have been placed not below the second division; (*d*) have received their certificates after the usual probationary service in an elementary school of the same denominaiion as those in which they are to examine; (*e*) have not exceeded their thirtieth year of age; (*f*) be recommended by the Inspector under whom they are to examine.

2. Their salary shall commence at 100 *l.* per annum, and shall rise by 10 *l.* per annum to 250*l.* They shall be paid besides 1*d.* per child per annum after the first 12,000 examined and marked by themselves in the official schedules, but never more on this account than 50 *l.*

They shall be reimbursed the actual expense of locomotion on the public service, but shall receive no further allowances.

3. They shall not be competent to examine except in the presence of, or by a written order from the Inspector, who shall name therein both the particular school to be examined, and the date of the examination. All notices to the managers of schools shall be given by the Inspector only.

4. They shall be prohibited from following any employment whatever, except such as is official. Private tuition is expressly included in this prohibition.

5. They shall hold a certificate from the Civil Service Commissioners.

Appendix (F).

4. The written examination of pupil-teachers should in all possible cases be held collectively. If it be impossible to bring the pupil-teachers of any particular school to a central spot, and if more of the inspector's time has on this account to be passed at the school than would otherwise be necessary, such cases should always be accompanied by a statement in the diary of the distance, or other difficulties of communication, between the given school and others.

5. When H. M. Inspectors are instructed to hold examinations under Articles 103 and 119, the number of days to be occupied is fixed by the instructions, and, as regards the revision of the papers afterwards, they have to be despatched at a prescribed rate.

6. Her Majesty's Inspectors are held responsible for taking their vacations at those times of each year which the circumstances of their several districts render the least advantageous for the inspection of schools.

7. An annual abstract is kept, in the annexed form, of each Inspector's employment as shown by his diaries. He is supplied with blank copies of the same form in which to keep a similar abstract for himself.

Total Number of Days employed in

1. Inspecting Schools.		2. Holding Examinations.			3. Revising Papers.		4.	5.	6.	7.	8.	9.	10.	11.
Elementary.	Normal.	Collective of P. T.	Certificates.		Of P. T. on other Days than those set apart for Correspondence, &c.	Of Candidates for Certificates of Merit.	Travelling only.	General Report.	Correspondence, Conferences, Returns, or other subsidiary Employment.	Vacation.	Private Business.	Illness.	Number of Departments inspected under separate teachers.	Number of Children present at Examination.

Note.—Notice will be taken at the end of the year if the number of days entered under Columns 1, 2, 3 (exclusively of sub-column 1), falls short of 201 days for inspectors who are called on to make General Reports in the same year, and 215 for inspectors who are not called upon to do so.

— No. 16. —

Treasury.

Sir, 5 July 1860.

I am directed to request that you will obtain the authority of the Lords Commissioners of the Treasury to print for public sale the tabulated Reports on individual schools visited by Her Majesty's Inspectors during the year ending 31st August 1860.

With reference to the Treasury Minute of 31st August 1859,* communicated in your letter of the same date, I am to state that it has been found, after long consideration, to be impossible to make any such arrangement for printing, as will save the labour of writing manuscript copies for immediate communication to the managers.

*Copy follows this Letter.

Suggestions, recommendations, and requirements, by the Committee of Council, frequently arise out of the Report, and annual payments are issued in the same letter that conveys them. If the Report reached the managers separately, either before or after the letter, a great deal of needless correspondence would spring up in the interval, and if the letter were kept back until a printed slip could be put into it, the payments would be delayed, and the trouble and risk of error in getting the right slip into the right letter, after it had made a circuit to and from the printers, would leave no saving on the present practice.

The Comptroller of the Stationery Office writes that the cost of printing 250 copies of each of these series of Reports for sale in 1859 was 750 *l.* 14*s.* 10 *d.*, and the cost of advertisement 13 *l.* 13 *s.* 4 *d.*, while the receipts from sale were only 88 *l.* 18 *s.* 1 *d.*

At the price fixed by the Stationery Office, if the whole impression had been sold, the receipts would have been only 377 *l.* 6 *s.* 10 *d.*, or less than one-half of the cost. The deficiency, therefore, was not wholly owing to the absence of purchasers. It is very doubtful whether the price would bear raising without more than a proportionate diminution of purchasers; but, perhaps, no copy might be sold under 1 *s.*

Their Lordships believe that the publication of these separate reports greatly strengthens the inspection of schools, and while they think it sound policy to have no gratuitous distribution of copies, they are not prepared to recommend a discontinuance of sale, even with a loss, and they believe that such discontinuance could not be maintained against the dissatisfaction which it would create, but would be over-ruled in the House of Commons, as was the case in 1859.

Appendix (F).

The number of copies to be printed is left to be determined by the Comptroller of the Stationery Office, guided by the sale of the series last published.

It is advisable, however, that the type should be kept standing, until the probable demand can be ascertained.

It appears to my Lords to be desirable that each Inspector should be furnished with a bound copy of the entire series of reports for 1859–60.

This will take 60 copies, and 20 other copies will be needed for use in the office in London.

I am, therefore, to request that the Comptroller of the Stationery Office may be authorised to supply 80 bound copies of the entire series for official use.

I have, &c.
(signed) *R. R. W. Lingen.*

G. A. Hamilton, Esq.,
&c. &c. &c.

Copy of a Treasury Minute, dated 31 August 1859.

Having reference to the assurances which appear to have been given in the House of Commons in February last, when the question of printing the reports in question was under discussion, that the printing of them should not be discontinued without further trial, my Lords are prepared to sanction the resumption of the printing, not for gratuitous distribution as formerly, but for sale in the same manner as other public papers.

With a view, however, to maintain the condition of remunerative sale suggested in the Report of the Committee of Council on Education, referred to by Mr. Lingen, my Lords think it right to limit the authority to a period of one year, they accordingly authorise the Comptroller of the Stationery Office to print, as he suggests, 250 copies of each report for 1858-9, with a view to their being sold at a price of 6 *d.* per sheet.

The publication of the Reports at the end of the year to which they relate, will necessitate, it is apprehended, the circulation of manuscript copies of them to the localities concerned, in the same manner as at present. My Lords suggest, for the consideration of the Lords of the Committee of Council on Education, whether, in the event of the sale of the series now about to be published proving such as to justify a continuance of the practice of printing, it may not be found practicable, as regards subsequent years, by putting the Report into type immediately, to save the clerical labour of making the MS. copies, which appears to be considerable.

10,915–20/7.

Sir, Treasury Chambers, 21 July 1860.

With reference to Mr. Lingen's letter of the 5th instant, relative to the printing for sale of the reports on the schools visited by Her Majesty's Inspectors during the year ending the 31st August 1860, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Lord President, that my Lords have given the necessary authority to the Comptroller of the Stationery Office for printing these Tables for another year, as a further experiment, being unwilling to disturb the existing arrangement, especially when the Royal Commission are likely to report shortly on the whole subject of education; but it must be distinctly understood that my Lords will reconsider their decision, if after further trial the expense be still found so greatly to exceed the proceeds of the sales.

I am, &c.
(signed) *Geo. A. Hamilton.*

The Vice President of the Committee of Council on Education.

Sir, 5 August 1861.

I am directed to request that you will obtain the authority of the Lords Commissioners of the Treasury to print for public sale the tabulated reports on individual schools visited by Her Majesty's Inspectors during the year ending 31st August 1861.

I am directed further to refer you, for the information of the Lords Commissioners, to a letter upon the same subject, of 5th July 1860, addressed to you from this office.

Enclosed is a statement of the result of last year's publication of these documents.

100 copies are needed for official use, of which

20 for the Bishops
60 for the Inspectors } bound.
20 for the office in London

Besides these, it will be sufficient to print for sale, at least at first, the number of copies set opposite (in red ink)* to each Inspector's name.

My

* The statement itself came from the Stationery Office. The last column was added (in red ink), in the Education Department, before transmission to the Treasury.

Appendix (F).

My Lords are led to believe that by some changes in the arrangement of the matter (such as are suggested in the enclosed memorandum), a saving of one-fourth of the expense may be effected. My Lords consider that the retention of the tabular form, although expensive, has considerable advantages for the purpose which these reports are intended to answer, and they are not prepared to recommend the omission of it.

I have, &c.

G. A. Hamilton, Esq., &c. &c. &c.

(signed) *R. R. W. Lingen.*

[*First Enclosure referred to in the preceding letter of 5 August* 1861.]

A STATEMENT of the Number of Copies Sold of each Inspector's Tabulated Report on Schools for 1860, and the Number of Copies proposed to be Printed in 1861.

Name of Inspector.	Number on Sale.	Number Sold.	Price per Copy.	Amount.	Number of Copies proposed to be Printed in 1861.
			s. *d.*	£. *s.* *d.*	
Rev. H. W. Bellairs	100	12	2 6	1 10 –	20
Rev. J. J. Blandford	100	21	1 9	1 16 9	30
Rev. W. H. Brookfield	100	26	2 6	3 5 –	40
Rev. J. G. C. Fussell	100	23	1 6	1 14 6	30
Rev. H. L. Jones	100	15	1 9	1 6 3	20
Rev. W. J. Kennedy	100	21	2 –	2 2 –	30
Rev. M. Mitchell	100	14	1 9	1 4 6	20
Rev. G. R. Moncreiff	100	31	1 –	1 11 –	40
Rev. J. P. Norris	100	20	3 6	3 10 –	30
Rev. D. J. Stewart	100	30	1 3	1 17 6	40
Rev. E. D. Tinling	100	17	2 6	2 2 6	30
Rev. W. Warburton	100	15	1 6	1 2 6	20
Rev. F. Watkins	100	17	3 6	2 19 6	20
C. H. Alderson, Esq.	100	39	1 –	1 19 –	50
M. Arnold, Esq.	100	33	1 –	1 13 –	40
J. Bowstead, Esq.	100	35	1 –	1 15 –	50
E. H. Brodie, Esq.	100	45	1 3	2 16 3	60
J. S. Laurie, Esq.	100	29	1 –	1 9 –	40
J. D. Morell, Esq.	100	38	1 –	1 18 –	50
W. Scoltock, Esq.	100	38	1 –	1 18 –	50
H. J. Lynch, Esq.	100	6	1 –	– 6 –	20
J. R. Morell, Esq.	100	8	1 –	– 8 –	
S. H. Stokes, Esq.	100	10	1 –	– 10 –	
Dr. Woodford	100	17	1 9	1 9 9	20
J. Gordon, Esq.	100	47	1 3	2 18 9	60
D. Middleton, Esq.	100	14	1 –	– 14 –	20
Dr. Cumming	100	5	1 3	– 6 3	10
C. E. Wilson, Esq.	100	9	1 –	– 9 –	20
Rev. T. Wilkinson	100	8	1 –	– 8 –	20
E. C. Tuffnell, Esq.	100	6	1 –	– 6 –	
TOTAL	3,000	649	– –	47 6 –	880
			Commission	11 12 8	
			NET AMOUNT of SALES £.	35 13 4	

COST of Paper and Printing for Copies of the Inspectors' Tabulated Reports on Schools for 1860.

R. *q.* *s.*		£. *s.* *d.*
36 10 17	Printing demy, 21 lb., at 12 *s.* 10 *d.* per ream	23 8 10½
	Printing	774 19 7
		798 8 5½
	Deduct received	35 13 4
	£.	762 15 1

Appendix (F).

[*Second Enclosure referred to in the preceding letter of* 5 *August* 1861.]

Mr. Lingen,

By the following arrangements, the cost of printing these reports might be reduced by about 250 *l.*, or nearly one-third.

1. By closing up the lines of type and printing names of counties immediately under "Name of School" in the heading of each double page, at least one-third will be gained in space.

2. By omitting indices and consecutive numbers (classifying the reports alphabetically under counties) 86 pages, or about $\frac{1}{14}$ of the whole, might be saved.

3. By printing off only 100 copies of each report, plus the number of copies marked by you in red ink, the quantity of paper required will be reduced from 36 to 23 reams (about), effecting a saving of (say) 10 *l.* on the paper alone (including the gain by repeal of duty).

4. By rigorously avoiding all unnecessary alterations and corrections after the "copy" is once in the hands of the printer.

(signed) *J. Tilleard.*

5 August 1861.

12,785–4/9.

Sir, Treasury Chambers, 6 September 1861.

With reference to Mr. Lingen's letter of the 5th ult., on the subject of printing the tabulated reports on schools visited by Her Majesty's Inspectors during the year ended 31st August 1861, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Lords of the Committee of Council on Education, that the returns show that the sale of the tabulated reports during the last year have sunk to almost nothing, the greatest number of any report sold having been only 45 copies, while of some only 5, 6, 8 and 9 copies found purchasers; and as the amount received in respect of such sales is less than half of that received in the previous year, there seems no longer any ground for expecting an increase of sale.

The demand, therefore, being so limited that the loss to the public in the cost of printing exceeds 95 per cent., and the original sanction of the printing of these reports being only experimental, with the view of ascertaining whether the sales would be sufficient to cover the expense, my Lords do not feel justified in authorising the printing of another year's reports.

I am, &c.

The Vice-President of the Committee of Council on Education. (signed) *Geo. A. Hamilton.*

At a personal interview, Lord Granville stated that he did not wish to make any reply, and acquiesced in the decision of the Treasury.

10 September 1861. *A. C.**

Laid also before the Vice-President, with the Secretary's letter, on 18th September 1861. He also thought it better to acquiesce quietly.

18 September 1861. *A. C.**

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* Initials of Mr. Cory, one of the Examiners, acting as Secretary.

Appendix (G).

Appendix (G)

General Report for the Year 1858.—Rev. *F. Watkins.*

General Remarks.

General Remarks.

My Lords,

In this 14th report on the state of church schools in Yorkshire, I have to point out a great increase in the work of inspection, not due so much to myself as to my colleagues, by whose energy and devotion to their duties I am enabled to report not only that the whole business of my own district has been done, and all the schools, both those receiving annual grants and those visited for other purposes, duly inspected, but that assistance has been given to another district where the work was too heavy for the inspectoral staff employed in it.

The number of schools inspected this year is 609. Last year it was 480.

The number of departments this year 844, against 640 last year. At the same time I have to report a much smaller number than usual of new schools placed on my list within the official year; their names are given in the Appendix.

Work done.

609 schools, containing 844 departments, have been inspected by myself and my colleagues. (The separate work of each is placed in the Appendix.) Work done.

Of these 844 departments, there were—

Boys	160
Girls	156
Infants	145
Mixed	383
Total	844

There were present at the examination of these schools—

Boys	38,237
Girls	30,273
Total	68,510

418 certified teachers, and 1,025 pupil-teachers were at work in them; assistant teachers, only three of whom presented themselves for examination in a special subject; 14 collective examinations of assistant teachers, pupil-teachers, and candidates (including one of candidates for prizes from the Northern Association of Coal and Iron Masters in West Yorkshire), were held in the large towns of my district. 1,246 pupil-teachers and candidates, *i. e.*, 635 males and 611 females, were examined at these collective examinations, and 36 candidates for the prizes of the Coal and Iron Masters.

The two training schools, for males and females, belonging to the dioceses of York and Ripon, have been inspected by Her Majesty's Inspectors of training schools and myself. The usual examinations also of candidates for certificates of merit and Queen's scholarships were held by myself and my colleagues. The papers of our own examinations, and a portion of those of the general examinations, have also been revised by us. My share of these was 1,549.

I will make a few remarks on each of these points.

School Children.

The number of children present at the examination of the schools has been this year, as usual, considerably larger than the number in average attendance, being "children examined, 68,510; average attendance, 63,618." This fact shows, amongst other evidence, that children can be made to attend school, and will attend, for any special purpose, owing, it may be, either to the greater urgency of the managers and teachers, or to the greater interest and excitement caused by the examination to the children themselves. It is well to remark this, for on turning to the general attendance of children at elementary schools, whether we look to its regularity or to its continuance, or whether we turn to that all important item of age, it is impossible, even for the most sanguine persons, to indulge any hope that there is improvement in these respects. With regard to the attendance, as compared with the accommodation offered in school-rooms, the state of the case in Yorkshire is this: not above 61½ per cent. of the space offered is occupied by children, whereas a few years ago it reached nearly 75 per cent. And in those days also the calculation of space was based on an allowance of six square feet per child, whilst now eight feet are allowed, and the schools ought to appear from this cause alone considerably fuller. School children.

Appendix (G).

School age.

Next, as to school age. There is no improvement whatever in this respect during the last official year. As far as the evidence goes, it is unfavourable. The comparison with last year is as follows:—

		1857.	1858.
Age:			
Under 7 years -	Annual grant schools -	35·32	36·56
	Simple inspection -	38·09	41·61
	Mean - - -	36·7	39·08
Under 10 years -	Annual grant schools -	70·42	71·97
	Simple inspection -	71·74	75·63
	Mean - - -	71·08	73·80
Above 10 years -	Annual grant schools -	29·58	28·03
	Simple inspection -	28·26	24·37
	Mean - - -	28·92	26·20

Or, to state this important fact in other words, 39 children out of every 100, in Yorkshire elementary schools are under seven years of age. Seventy-four nearly out of each 100 are under 10 years of age. And 26 only of the hundred are above the age when a parent of the middle or upper classes begins to think of sending his boy to school, where, and at college, if intended for one of the learned professions, he is to stay for 10 or 11 years. This statement is only a little worse than that of last year; but it is worse, and year by year it has been much the same—"a little worse"—since the year 1844, when I had first the honour of pointing out to your Lordships this great hindrance to national education. It seems to me now idle to expect any great improvement in this respect. Various remedies have been tried, and all with much the same amount of success. Those children who, from the condition of their parents, or other peculiar circumstances, would have staid at school longer than their contemporaries have by these means been induced to stay a little longer. The capitation grant, the different prize schemes, the various certificates of conduct and progress given in schools have gone thus far, and no farther. But they have not touched the seat of the disease; they have not gone to the root of the matter; they have not affected, if they have made more evident, the cause of the early removal of children from school. And the cause is patent enough. It is simply the value of the child's labour which the country must have, and for which the country pays liberally enough. Doubtless, this is aided secondarily by the indifference of most of the parents to the intellectual attainments and the moral training of their children; but this indifference arises from the same cause. They are indifferent to, if not averse from, anything which interferes with the payments accruing to them from the labour of their children. The problem to be solved now seems to be this: Given, that children of the working classes leave school at 10 years of age, how can they be most intelligently taught and morally trained in other places of education? What can be done by evening schools, under whatever name they may be presented to our notice?

School-Stay.

School-stay.

The stay of children at school is closely connected with their age in it. The following table shows how the schools in Yorkshire are circumstanced:—

Per-Centage.

	1856.	1857.	1858.
In school less than one year - - -	47·54	40·94	43·16
Who have been 1 year - - - -	21·54	24 9	22·5
„ 2 years - - - - -	13·8	14·32	15·31
„ 3 years - - - - -	8·07	10·01	9·58
„ 4 years - - - - -	5·03	5·55	5·37
„ 5 years and upwards -	4·02	4·26	4·07

It

Appendix (G).

It will be seen at once that this table gives just the same evidence as the other. It makes no great difference between this year and the last, or that preceding it; but the little change that it is, is for the worse, and not for the better. It holds out no prospect of improvement. It tells the same oft-repeated tale, that nearly nine-tenths of the children of the working classes stay at school only about three years, and are then sent out to their work in life, not because they are fitted for it, but that, by actual and rough contact with it, they may be fashioned to its requirements. It is impossible, year after year, to look at this strong evidence as to certain facts and conditions of our national life without feeling some and grave doubts whether the educational system has hitherto been suited to the wants and circumstances of the nation. Has it not attempted to reach too high an intellectual standard? Has it been sound or showy? Has it been sufficiently practical? and, above all things, has it aimed to fit children for their work in life—for that position which must be the lot of the million, and not for that higher career which may be reached, and, in a free country like ours, is reached, by one in ten thousand?

Progress at School.

Progress.

Under circumstances of such difficulty as those mentioned above—the tender age and short stay of the children at school—it seems unreasonable to expect either large or rapid progress in the subjects of instruction. But I think that, under these circumstances, the progress of the children is satisfactory. There is a marked improvement in this year over the last; and the improvement is in those subjects precisely where improvement, if not most needed, is at least the most important—in religious knowledge and in the three time-honoured and universal subjects, reading, writing, and arithmetic. I have composed the following table from Summary ( ), which, since the suppression of the tabulated reports, is the only means available to an Inspector of ascertaining the state of his district in this respect. It shows the per-centage of schools which are returned under the three heads of "good," "moderate," or "bad," in the usual subjects of elementary instruction; and the return marks the difference in these respects between schools receiving annual grants and those which are visited for simple inspection:—

TABLE OF PROGRESS.

SUBJECTS OF INSTRUCTION.	1857.						1858.					
	Schools receiving Annual Grants.			Schools under Simple Inspection.			Schools receiving Annual Grants.			Schools under Simple Inspection.		
	Good.	Moderate.	Bad.	Good.	Moderate.	Bad.	Good.	Moderate.	Bad.	Good.	Moderate.	Bad.
Holy Scriptures	81·	17·6	1·	53·5	32·5	14·	84·5	15·	·5	54·	42·5	3·5
Catechism	73·6	22·3	4·	54·	31·5	14·5	86·5	13·	·5	64·5	34·	2·
Reading	76 6	22·5	1·	61·	37·	2·	78·5	21·5	·0	50·	47·	3·
Writing	84·	15·	1·	70·	27·5	2·	86·5	13·75	·0	57·5	41·	1·5
Arithmetic	72·	24·	4·	50·5	31·5	18·	89·	10·75	·25	57·5	40·5	2·
Geography	65·	31·	4·	32·5	48·5	19·	77·5	22·	·5	37·	58·5	4·5
Grammar	50·5	42·	7·3	30·5	46·5	29·	68·5	3·25	·25	33·	61·5	5·5
History	48·5	37·5	14·	19·5	55·5	25·	68·5	30·25	1·25	45·	50·	5·
MEAN NUMBER	68·9	–	4·55	46·5	–	15·4	79·9	–	·400	49·8	–	3·375

From this Table it will be seen at a glance that the number of schools (both those receiving annual grants and those under simple inspection), in a good state has increased considerably, and those in a bad state diminished, during the last official year.

Conduct of Children.

I am continually informed by clergymen and other managers of schools, that they observe great improvement in the conduct of school children; that they are more civil and docile, less coarse in language, less addicted to wanton mischief, less cruel to and careless of other animals, than they were a few years ago in the same locality. I have no doubt that this is the case to a considerable extent; at the same time it cannot be denied that school impressions on such young children do not last long; the docile boy grows up into the roughish youth, and the tidy girl into the flaunting over-dressed young woman, in but too many cases, where, if the school instruction had been more complete, and the school disci-

Appendix (G.)

pline extended over other and more formative years of life, a very different result might have been obtained.

School Teachers.

~~Whatever good results, either instructional or educational, either of progress in intellectual attainments, or of formation of character, may be observed in school children, must be attributed mainly to their teachers. Anything, therefore, that affects the teacher's social position, his (or her) comfort, independence and respectability, bears directly and with great force on the well-being and well-doing of the school, and upon the general progress and prospects of national education.~~

I am able to report a large increase of certificated teachers in my district during the last official year; an increase from 331 in 1857 to 418 in 1858, of about 26 per cent. I rejoice in this increase, for though I am well aware that the certificated teacher, and especially the teacher with a high certificate, is not always the best manager of his school, and the best practical disciplinarian in it, yet I am sure, from careful, and now long, observation on this point, that a large majority of certificated teachers, I believe nine-tenths of the whole number, are better teachers and trainers than any other body of school-teachers whatever. They are better fitted intellectually for their work, have larger knowledge of method in imparting instruction, and they have more definite ideas of school management than the teachers of any class, whether high or low, in this kingdom. I am glad, therefore, of their increase in my district, and also of the increase, though only slight, in their salaries. The return of their salaries stands thus: —

SALARIES.

	1857.			1858.		
	£.	s.	d.	£.	s.	d.
Certificated Masters - - - -	87	19	8¾	89	16	6
Not Certificated Masters - - -	49	19	2½	50	4	3
Certificated Schoolmistresses - - -	62	17	3½	67	7	8½
Not Certificated Mistresses - - -	32	2	3¾	32	13	9
Certificated Infants' Mistresses - -	60	19	11¼	61	11	5½
Not Certificated „ - -	31	16	7¾	32	5	8½

This Table confirms what I had the honour to point out to your Lordships last year, the great pecuniary advantage which your certificate brings to the teacher. It shows that the uncertificated has little more, on an average, than half the salary of the certificated master, nearly 56 per cent.; that the certificated schoolmistress has more than double the salary of her uncertificated sister, whose payment is only 48½ per cent. of the payment consequent on the certificate; in the same way, that the uncertificated infants' mistress has very little more than half (52½ per cent. nearly) of the income of the certificated. All these items plainly show the money value of the certificate, as well as its higher value as a proof of intellectual attainment. At the same time I must again express my regret that the average salary of certificated masters in Yorkshire does not reach a higher sum than 89*l.* 16*s.* 6*d.*, *i.e.*, 1*l.* 14*s.* 7½*d.* per week, or 5*s.* 9*d.* per day, a sum which has been surpassed by the daily earnings of many of the colliers now out on strike in the southern part of the county. I do not mean to say that this salary is too small for a young, inexperienced master, fresh from the training college, with little knowledge of life, and few of its cares and burdens, but it seems hard, and it is felt as a hardship by many teachers of good ability, of tried character, and of long experience, that there should be no advance in their profession, nothing to which they can look forward with hope, and but few positions in which, with hard labour and deep anxiety, they may earn sufficient means of bringing up their families in comfort, and providing for their own declining years.

Your Lordships' Minute of August 1858, by which the certificates of teachers are revised, and raised or lowered according to their merits as working teachers in their schools, will doubtless have a very beneficial effect, as it will both increase the credit and add to the income of deserving teachers. Partly, perhaps, in anticipation of this Minute, there have been fewer changes amongst the teachers in Yorkshire than in any previous year, and to this, as much as to any other cause, may be attributed the intellectual progress of the children observable in the same period.

Pupil-Teachers.

Pupil-teachers.

The increase of pupil-teachers during the last year has been rather greater than that of certificated teachers, the numbers having been raised from 801 in 1857, to 1,025 in 1858, an increase of 28 per cent. There seems, therefore, to be no deficiency in quantity of this class of teachers, but I see no reason to change my opinion as to its quality, either in intellectual attainment or moral character. It is hardly equal to what it was in the earlier years of the school apprenticeship. There are (I speak only of my own district) more frequent cases of failure

failure in the yearly examination, and a greater number of dismissals for immoral conduct. Not that as a body these young people are either unintelligent or immoral; such a condition is hardly possible, considering the examinations which they undergo, and the certificates of conduct which are required of them, year by year. But I have no doubt that if we could offer a higher rate of payment for their services, and thus, amongst other advantages, draw them from a higher social position, we should have fewer disappointments from either source, and should secure a more useful and probably more permanent material for the future teachers of this country. I have also good reason to think that in many cases the managers of schools take little pains to inform themselves either of the character of the household in which these young people reside, ~~to which especial attention is drawn by your Lordships' Minutes,~~ or of their conduct in school, or of their attention to religious duties, or yet of the hours during which they receive private instruction from the head teachers, or of the matter and manner of that instruction. These points, which are all of very great importance, ~~and to which great value is attached by your Lordships,~~ are often so treated as to be of little practical value. The signatures both of clergymen and of other managers of schools are subscribed to these documents often without any knowledge, often upon mere hearsay, often upon the sole evidence of a teacher who, with the best intentions, can hardly be received as an impartial witness in a case so nearly touching himself. It may be said, "If this be so, and this gross dereliction of duty comes under your notice as Inspector, why do you not report it at once, and so put a stop to it?" The answer to this objection is very plain. Many things come to the knowledge of an Inspector in an indirect, round-about way, long after the time when they might have been useful to him. There are many points of which he has a moral certainty, of which he has no legal certainty; information is conveyed to him through private channels, upon which he could not act, as a public officer, without some breach of confidence. In such cases as these he cannot act directly upon the offending parties, and sometimes cannot act at all. Appendix (G).

I have expressed regret in some of my reports at the not inconsiderable number of pupil-teachers who, when the term of their apprenticeship has expired, have turned to other employment, and not become schoolmasters. This year several cases of such young men have come under my notice, who though employed in other occupations during the day, act as teachers in evening schools, so that their services are not lost to the work of education. Thus, indirectly, another class of teachers is formed, chiefly at the public expense, who bring to their work some experience in it and aptitude for it, as well as that mind and amount of knowledge which is most likely to be useful to the youths under their charge. Ex-pupil teachers.

General State of the District.

~~It is hardly possible for the Inspector of a district, owing to the suppression of the tabulated reports on each school, to obtain any accurate idea of its educational state as a whole; he can merely judge of it by what he sees himself, as the reports of his colleagues are no longer in his hands. He must, therefore, either take a great deal for granted, and so possibly misinterpret some of its most important features, or he must endeavour to eke out his own deficiencies by taking such scraps of information from his colleagues, as they, under similar disadvantageous circumstances, may be able to furnish to him. I have preferred the latter course.~~ General state.

Mr. Sharpe states that he has inspected 195 schools, containing 272 departments; of these he considers,—

61	good, or very fair.
159	fair, or moderate.
52	very moderate, or bad.
272	

He adds, I have selected the following village schools as worthy of especial commendation:—

Bardsey.	Leathley.	Welton.
Londesbro.	Thurstonland.	Hoyland Swaine.
Sessay.	Brantingham.	Kirkburton (girls).
Croft.	North Cave.	Staithwaite.
Craike.		

I subjoin a list of places where improvement has been carried out:—

Ingleton.	Pudsey (Far Town).
Whorlton.	Leeds (St. Thomas).
Selby.	Halifax (Mount Pellon).
Carlton (in Snaith).	

The following have made no improvement:—

Honley (boys' school).	Husthwaite.	Wetherby.
Osmotherley.	Swinsfleet.	Gildersome.
New Mill.	Keyingham.	Hanging Heaton.
Old Wortley (Leeds).	Holbeck (St. Matthew's).	

Appendix (G).

Mr. Temple reports that he has inspected 258 departments of schools, of which were:—

Boys.	Girls.	Infants.	Mixed.	Total.
42	38	34	144	258

Of these were:—

	Excellent, or Good.	Fair, or Moderate.	Indifferent, or Bad.	Total.
Boys - - - -	12	20	10	42
Girls - - - -	9	19	10	38
Infants - - -	9	19	6	34
Mixed - - - -	37	58	49	144
Total - - -	67	116	75	258

He reports 10 schools as closed at the time of his visit, some of which have been re-opened. The following have been for some time in this state:—

Dewsbury Moor.
Wakefield (St. Andrew's).
Brockholes.
Thornton Bradford.
Tidgett Green.
Old Wortley.

Mr. Temple adds, that he notices the good conduct of the pupil-teachers generally, and doubts whether it would be desirable to take them from a higher social position, and not from the working class. He finds reading generally defective, and observes that few teachers read the lessons out themselves.

He remarks that writing is generally good, where the children learn to draw. He regrets the general want of industrial instruction, and finds the half-time children usually intelligent.

The schools which I have inspected myself, I have arranged in four divisions, of satisfactory, creditable, tolerable, and poor, making a further division for each class of schools; (1) those in large towns, (2) in small towns, (3) in manufacturing or mining villages, (4) in agricultural villages. ~~By this means, as far as is in my power (but with very scanty materials for so important an object) I hope to obviate to some extent the mischief caused by the suppression of the tabulated Reports, and to bring all the schools which I have inspected under the healthy action of public opinion. Without some such effort the country at large, or the public in different localities, have no power of judging how the schools of the country, or of any particular district of it, are going on, whether improving or retrograding. There is no opportunity of learning which are the best and which the worst schools in a county, which the most laborious and intelligent teachers, or which are neglecting their duty, and incapable of performing it.~~ As an encouragement to honest labour, and a recognition of earnest service in the work of elementary education, and on the other hand as a scourge to idleness and incompetency, public opinion, founded on careful and special reports on each school, has hitherto been most valuable. ~~Now when this opinion can be no longer formed in this way, it seems desirable for the Inspector to give all the information in his power, though limited in the time, and circumscribed in the method of reporting it.~~

[*Here follows List of Schools*].

From this list, omitting the schools inspected a second time within the 12 months, and some departments not fully inspected, the following results are obtained, that, taking all the schools of all classes together, there are—

Satisfactory - - - - - -	20	per cent.
Creditable - - - - - -	32½	„
Tolerable - - - - - -	33½	„
Poor - - - - - -	8	„

or, 58½ per cent. are more or less good,
41½ per cent. more or less bad.

Or,

Or, taking the schools in their different characters and localities, there are— Appendix (G).

	Satisfactory.	Creditable.	Tolerable.	Poor.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*
Large towns - - - - -	29½	49	19	2½
Small towns - - - - - -	10½	34½	38	17
Manufacturing and mining villages -	14	39	37	10
Agricultural villages - - - -	18	30	43½	8½

or,

Large Towns - - -	78½ per cent., more or less, good	21½ per cent., more or less, bad.
Small Towns - - -	45 „ „ „	55 „ „ „
Manufacturing and Mining Villages - - -	53 „ „ „	47 „ „ „
Agricultural Villages -	48 „ „ „	52 „ „ „

The results of this Table appear to me both interesting and important, as showing plainly what localities, in a great labour-field like Yorkshire, have made the most progress in education.

The great towns—as perhaps might be expected—lead the way, and assert their superiority, not only by the number of schools in a satisfactory state, but by the very few in a discreditable state. The manufacturing and mining villages are next to them, partaking of their intelligence and activity, but not so largely of their wealth.

The third place is held by the agricultural villages, exhibiting greater contrasts than any other class, their school character being dependent chiefly on some individual,—an educating Lord or Squire—an intelligent Clergyman, or an active Lady Bountiful—the schools being almost always the best where the land is in the hands of one proprietor, and the worst where it is infinitesimally divided amongst small freeholders, who squabble about the school, as they do about all other parish business.

Lowest in educational character are the small towns of the county, where small shopkeepers and hybrid-agriculturists exercise the same kind of influence over the town school that the small freeholders do in the village—an influence of a negative rather than of a positive kind—sufficient to hinder, but not quite to stop, the work of education. Some of the most hopeless schools are to be found in these localities, schools of which it is difficult to say why they are so bad, or to believe that they ever will be better.

Scholars' Certificates.

The number of scholars' certificates of merit given this year has increased steadily in my district. Some hundreds have now been distributed, and their effect, within certain limits, has been decidedly good. Some of the most important, and some of the best schools in Yorkshire, have been the most forward to avail themselves of this advantage for their children. Messrs. Marshall's school at Holbeck, near Leeds, has received 25 certificates. Messrs. Walker's school, at Bradford, has claimed 14. The Corporation school, at Richmond, has carried off 12. St. George's school, at Leeds, has taken nine. The Central National school, in Fawn-street, Sheffield, has obtained six. These are all schools of high character and great influence.

A case was brought under my notice lately, which shows plainly how little the country is yet aware of the state and circumstances of elementary education. A lad, who had obtained a scholar's certificate, was a candidate for a clerkship on one of the Northern Railways. He presented himself, according to his instructions, at a Board-meeting with his testimonials, and placed prominently in the chairman's hands his scholar's certificate, of which he was very proud. The chairman stared at it, turned it over, and looked at the engraved border, and then confessed that he "did not understand at all what it was all about." The poor youth was not a little disconcerted, especially as he did not obtain the situation. Now, as it would be difficult for a young person to obtain a better test of ability and conduct than one of these scholar's certificates, it is to be regretted that a gentleman, in the responsible position of chairman of a railway, should not only be ignorant of their value, but evidently not aware of their existence. Probably few youths would be found better fitted for the duties of intelligent railway servants than the holders of these scholars' certificates.

Associations of Coal and Iron Masters.

I have little to report on the Association of Coal and Iron Masters for giving prizes to children in schools.

Appendix (G).

The Southern Association of the West Riding, as I had the honour of pointing out to you in my last Report, was dissolved without ever coming into active operation, and has not yet been revived.

The Northern Association (in the district around Leeds, Wakefield, and Bradford) is at work, but has made slow progress. The strike for wages, which took place just at the time of the annual examination, probably in some degree affected the attendance of children at it. Six from one colliery, whose names were on the list as candidates, did not appear on the appointed day. Only 36 boys and girls presented themselves at the examination, which, considering the size, the wealth, and the importance of the district, must be deemed an unsatisfactory attendance. Its results, also, intellectually, were not creditable to the more advanced candidates, who were examined in special subjects, with which they showed a very limited acquaintance.

School Fees.

I had the honour to point out in my last report, the strange fact, that in Yorkshire an inferior education costs more than a superior one, or that the comparatively bad school charges more for its bad instruction than the comparatively good school for its higher intellectual advantages. I observe the same fact this year.

In the following Table of the two years 1857–58, the annual grant schools are those under certificated teachers, with apprentices, improved apparatus, good school-books, and possessing all the advantages which the Government grants ensure. The "simple instruction" schools are those which have few of these advantages, and are for the most part, though not always, in a lower state, both of attainments and discipline, than the schools receiving annual grants.

1857.			1858.	
Annual Grant Schools.	Simple Inspection Schools.		Annual Grant Schools.	Simple Inspection Schools.
76·42 p' cent.	69·13 per cent.	Pay less than 3 *d.* per week -	71·35 p' cent.	72·91 per cent.
22·25 p' cent.	22·50 per cent.	Pay 3 *d.* or 4 *d.* per week - -	27·58 p' cent.	22·84 per cent.
1·33 p' cent.	8·37 per cent.	Pay more than 4 *d.* per week -	1·07 p' cent.	4·25 per cent.

So that it seems that to some extent, though not so much as formerly, parents in the working classes estimate education not so much by what their children receive from it as by what they pay for it.

School Payments, &c.

The same conclusion is reached by a different investigation of School Payments :—

The average annual expense per scholar for 1857 was 17 *s.* 7¼ *d.*
In schools receiving annual grants, 16 *s.* 9½ *d.*
In schools under simple inspection, 18 *s.* 5 *d.*

The average annual expense per scholar for 1858 was 17 *s.* 8¼ *d.*
In schools receiving annual grants, 16 *s.* 2½ *d.*
In schools under simple inspection, 19 *s.* 2*d.*

So that the parent's preference of the bad school, which cost him 1 *s.* 7½ *d.* per child in 1857, has been raised to 2 *s.* 11½ *d.* in 1858! This is a curious result certainly, and unintelligible to anyone unacquainted with the habits of thought and the strong prejudices of the working classes.

Maintenance of Schools.

The whole subject of school maintenance is a very important and interesting one. I subjoin a Table which shows some of its leading points :—

1857:	£.	*s.*	*d.*	1858:	£.	*s.*	*d.*
Income of schools inspected	34,960	17	5	Income of schools inspected	43,211	17	11
Average, 92 *l.* 4 *s.* 10½ *d.* on 379 schools.				Average, 95 *l.* 3 *s.* 7 *d.* on 454 schools.			
Expenditure - - -	37,292	17	5	Expenditure - - -	46,721	8	7
Average, 98 *l.* 7 *s.* 11½ *d.*				Average, 102 *l.* 18 *s.* 2½ *d.*			
Excess of Expenditure over Income - - - -	2,332	-	-	Excess of Expenditure over Income - - - -	3,509	10	8
or 6½ per cent.				or 8 per cent.			
Income per scholar - -		- 16	9	Income per scholar - -		- 16	6¼
Annual grant schools, 15 *s.* 8¼ *d.*				Annual grant schools, 14 *s.* 11½ *d.*			
Simple inspection schools, 17 *s.* 9¾ *d.*				Simple inspection schools, 18 *s.* 1½ *d.*			

So

Appendix (G).

So that it appears that whilst the average income of the schools in Yorkshire is increasing, their expenditure is increasing in a greater ratio; that in the last year it has advanced from 6½ to 8 per cent. I am aware that this deficiency of income does not in many cases imply that the school is in debt; but I know at the same time how the deficiency is made up, and how the debt is cancelled; viz., that it is paid by the clergy and other managers of the school, who have previously contributed their full and generous share towards its sustenance. The additional burden thus laid upon them during the last official year, in Yorkshire, is 3,509 *l.* 10 *s.* 8 *d.*, which is no slight sum, considering the circumstances under which it is raised, and the comparatively ill-furnished purses from which it proceeds.

I have again to remark on the large share that the people of Yorkshire pay for their children's schooling, compared with other districts of Great Britain. This year, out of an income of 43,212 *l.* 5 *s.* 11 *d.*, they have contributed 22,588 *l.* 6 *s.* 6 *d.*, *i. e.* 52 per cent. This is a far higher per-centage than prevails in any part of England, except Lancashire, where the manufacturing classes contribute a nearly equal portion of the school income. A very large part (33 per cent.) of the remainder of the school income arises from "voluntary contributions," which may be taken as the test of the interest shown by the middle and upper classes in the education of their poorer neighbours' children. This amounted last year in Yorkshire to 14,260 *l.* 10 *s.* 6 *d.* It must be borne in mind that my report relates only to Church schools, and therefore does not represent more than three-fourths of the work done in this great county, in the schools placed under inspection, which again are only a minority of the whole number, especially in the North and East Ridings. I should have wished, had time permitted me, to have gone into a full analysis of school maintenance, i.e., the income and expenditure of elementary schools.—But the limited time, only 14 days, allowed for a general report on the schools in a great and important county like Yorkshire, and the comparatively scanty material now, since the suppression of the tabulated reports, within reach of Her Majesty's Inspectors, effectually forbids this attempt.—Our position is now like that of the Israelites in the land of Egypt.—We have "to go and seek for straw," and yet "to complete the tale of bricks."—In one respect our position is worse.—We have to perform the same work which has always been required of us, in half the time which has hitherto been allowed for it.

I have, &c.

Appendix (H).

Appendix (H).

Coventry, St. Mary's, R. C. S.*

Copy of Manuscript Addition to printed Form as first communicated to Managers on 14 October 1863.

"The premises and fittings are good, but an infants' school-room would be a great improvement. The discipline is good, and the instruction, though not very forward, is accurate and appropriate as far as it goes, and as advanced as can be expected, considering how recently the present teachers have been in charge."

Their Lordships' attention has been called to the fact, that most of the children in this school have been presented in Standard I. of the Revised Code.

I am directed to inform you, that my Lords do not consider that a school in which none of the children (although their ages range as high as 14) are qualified to be examined in a higher standard than Standard 2 is entitled to a grant from the Public Funds. Your attention is requested to the latter part of Section 11 of the printed instructions to Her Majesty's Inspectors. It is evident that there has not been a *bonâ fide* examination in this case. C. C.

The teaching power during the past year appears to have been quite insufficient, so that even if my Lords had allowed a grant, a deduction of 30 *l.*, under Article 52, b., would have had to be made.

Copy of Letter to Managers explaining reasons for change in decision previously announced.†

Committee of Council on Education.
Council Office, 13 November 1863.

Rev. Sir,

I am directed by my Lords to acknowledge the receipt of four letters, viz., one addressed by Miss Watkins to Earl Granville, one by yourself to the Vice-President, and two by yourself to the Secretary.

It

* Question 154.

† A copy of this letter was sent same day to Mr. Morell, with the sheet, of which there is a facsimile at p. 12 of his pamphlet.

Appendix (J.)

Appendix (J).

Copy of Inspector's Report on *Cockburnspath*, under Section 19 of the Schoolmasters' Act (Scotland).

Cockburnspath Parish School.

Visited under "Parochial and Burgh Schoolmasters' (Scotland) Act, 1861."

"The population of the parish is 1,100, of whom about 700 reside in the village where the school is, or in the fishing village in the immediate neighbourhood.

"In the Minutes of the Committee of Council for 1840-1, page 288, Mr. Gibson reports that he inspected the school in March 1841, when 72 children were present, under the same master that is now in charge, and who had then been teaching for 26 years. On the occasion of my visit, five children, four boys and one girl, were present, and the master stated this to be all his ordinary attendance at the time. Two of the boys were reading the History of Scotland, one with considerable fluency; the girl and another boy, in easy narrative, read pretty correctly, but not fluently; and the remaining boy was in the same book, but less advanced. The spelling was good for the progress in reading. The two more advanced boys had made a little progress in writing large hand. There was no arithmetic, no grammar, and no geography, though from their age the two more advanced ought to be in these branches, and the upper two might be. The upper two were in catechism, but required help in nearly all their answers. The girl answered very well to the questions which I put to her in elementary Bible knowledge.

"The master appears to be a man of considerable attainments and ability, but of very unconciliatory manner."

[*The remainder of the report was not communicated in the first instance to the Managers.*]

"Order and attention were enforced by the fear of his hand, which he kept in threatening readiness, and oftener than once applied during my visit. He stated in explanation of this, that he had been subjected to systematic persecution for 30 years, and that one of the modes of it was to tamper with the children, and make them give wrong answers when they knew the right ones quite well; and he proceeded, in a state of great excitement, to give a narrative of extraordinary circumstances as the cause of the treatment complained of, using expressions which I had to remind him, though without effect, were unsuitable for the ears of children. It is not in point of vigour that Mr. M'Gregor is so much impaired for the duties of his office, as might be expected at the very advanced age implied by his long period of service; but infirmities of other kinds render it plain that for the educational interests of the parish the time has come for him to retire."

Appendix (K).

Appendix (K).

References to Reports of Inspectors.

I. Reports of Inspectors written for the year ending 31st August 1861, presented to Parliament 19th June 1862.

Pages 15, 35, 45, 119, 138.

Also, 62, 123, 156, 165 (111, 191, 451), 197, 201-2, 219-20, 222, 232, 238, 242, 278, 385-7, 398, 404.

II. Reports of Inspectors written for the year ending 31st August 1862, presented to Parliament 8th June 1863.

Pages 7, 15, 26-7, 41-3, 70 with 315 (1861), 170, 266, 137 (336-345, 361).

III. Reports of Inspectors written for the year ending 31st August 1863, presented to Parliament 6th June 1864.

Pages 22, 47 (62, 251), 63, 65, 66, 67, 70, 73-4, 82-3, 84, 86, 87, 94, 98-110, 117, 130-1, 136, 139, 140, 144, 146, 164-5, 181-2, 187-8, 204, 216.

Appendix (L).*

Educational Department, Council Office, Downing-street,
Sir, London, 25 June 1864.

I believe that the manuscript of my Report for the year ending 31st August 1862 still exists, but I cannot as yet put my hand upon it.

I have, &c.
The Secretary, &c. (signed) *James G. C. Fussell.*

Sir, Blairgowrie, 25 June 1864.

In reply to your letter of the 24th, I beg to say that the manuscript from which my Report for the year ending 31st August 1861 was printed, was destroyed.

I have, &c.
To the Secretary, (signed) *D. Middleton.*
&c. &c. &c.

Sir, Canterbury, 27 June 1864.

I have the honour to inform you that the MS. of my Report for the year 1860-61 is not in my possession, and that I have no doubt that I destroyed it (according to my usual practice) as soon as I had corrected and returned the proof.

I have, &c.
To the Secretary, (signed) *G. R. Moncreiff.*
&c. &c. &c.

Education Department, Council Office, Downing-street,
Sir, London, 28 June 1864.

Though I have always destroyed the manuscripts of the Reports, after the Reports themselves have been published, I find, upon searching through my official papers, that I have the printed proof of the Report for the year 1862, with its alterations and corrections for the press.

Yours, &c.
(signed) *E. Douglas Tinling.*

Committee of Council on Education, Council Office,
Rev. Sir, 29 June 1864.

Will you be so good as to return the proof of your Report for 1862 to this office by return of post.

I have, &c.
(signed) *R. R. W. Lingen.*

Education Department, Council Office, Downing-street,
Sir, London, 30 June 1864.

According to your instructions, I beg to transmit the proof copy of my Report of the year 1862.

Yours, &c.
To the Secretary, (signed) *E. Douglas Tinling.*
&c. &c. &c.

Education Department, Council Office, Downing-street,
Sir, London, 2 July 1864.

I have made further search for the MS. of my last General Report, but without success. I do not remember to have destroyed it; but I see no probability of my being able to find it.

I have, &c.
To the Secretary, (signed) *James G. C. Fussell.*
&c. &c. &c.

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* See Questions 192, 196, proposed on 27 June, and 607, on 4 July.

I N D E X

TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

EDUCATION (INSPECTORS' REPORTS).

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1864.

468—I.

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Questions in the Evidence; those following *App.*, to the Pages in the Appendix; and the Numerals following *Rep.*, to the Pages in the Report.]

A.

Adderley, Right Hon. Mr. Statement by Mr. Adderley, when Vice-President of the Committee of Council, that he should continue printing the individual or tabulated reports only so long as the sale of them covered the expense, *Lingen* 8. 187——Important instructions issued to the Inspectors when Mr. Adderley was in office in 1858, *Lingen* 10–14. 231, 232, *and App.* 46. 52.

Circumstance of Mr. Adderley having been accustomed to read the reports in manuscript, and to strike from them before they went to press those passages which he regarded as not conformable to the instructions, *Lingen* 17. 163–165. 183——Strictness of the supervision exercised by Mr. Adderley further adverted to, *ib.* 183——Form in which the reports were re-transmitted to the Inspectors, when altered, during the time of Mr. Adderley, *ib.* 233–235.

Further evidence relative to the frequent striking out of passages when Mr. Adderley was in office; instance in the case of a report of Mr. Watkins for 1858, *Lingen* 236–250.

Witness has no recollection of his reports having been extensively altered or interfered with by Mr. Adderley in 1858 or 1859, *Watkins* 428–436.

Reference by the Committee to the system of revision during the tenure of office of Mr. Adderley, *Rep.* iv, v.

Alteration of Reports. Object and operation of the Minute of January 1861 considered with reference to the removal or alteration of passages by the Inspectors under pain of their reports not being published, *Lingen* 79 *et seq.*——Evidence opposed to the argument sought to be founded, that the sending back of the reports for alteration was tantamount to mutilating them, *Lingen* 98–103. 137–148. 160–162; *Right Hon. R. Lowe* 736–755.

Details explanatory of the course pursued by the department in frequently requiring alterations in the individual or special reports as forwarded to the schools, *Lingen* 132 *et seq.*——With regard to certain reports returned for alteration and subsequently presented to Parliament, it has not been possible to obtain the original manuscripts, but witness submits proofs of two of these reports, *Lingen* 190–197, *and App.* 25–29. 75——Alterations made by witness in a report of Dr. Cumming, by scoring out certain passages; defence of this proceeding, *Lingen* 192–195. 282–286.

Comment upon the system in the case of the individual reports as altered before transmission to the managers of the schools, *Morell* 566–574——Witness has never made any alterations in reports sent back to him by the Department, *Arnold* 592.

Check upon the examiners of the department unduly altering the reports upon individual schools before sending them to the managers; cases in which such alteration is expedient, *Lingen* 623–635. 641.

Feeling of witness from the first that any objectionable passages should be altered by the Inspectors themselves rather than by the department, *Right Hon. R. Lowe* 699–705——Evidence to the effect that the supervision exercised by the department did not necessitate alterations which prevented the reports from being a fair representation of the Inspectors' opinions, *ib.* 756–760.

Remarks and conclusions of the Committee on the question of the alteration of the reports in the department or by the Inspectors themselves, *Rep.* iv, v——Statement as to any alterations since January 1861 having been made by the Inspectors themselves, instead of directly in the department, *ib.*——Total of ten reports sent back to the Inspectors under the Minute of January 1861, and again returned to the department with alterations, and so printed, *ib.* vi.

See also *Adderley, Right Hon. Mr. Coventry, &c. Cumming, James. Jones, the Rev. H. Longueville. Length of Reports. Marking the Reports. Minute or Instruction of January* 1861. *Mutilation of Reports. Revised Code. Supervision or Revision of Reports. Tabulated or Special Reports.*

Reports, 1864—*continued.*

Appointment and Dismissal of Inspectors. See *Inspectors, &c.*

Arnold, Matthew. (Analysis of his Evidence.)—Has been an Inspector of Schools since 1851; 575, 576——Suppression of two of witness's reports, only one of which is still in existence, 577–579——Objection raised in the department to some remarks in the first report relative to the system in France, such remarks being of an entirely practical character, but bearing against the policy of the Revised Code, 580–583. 592, 593——Rejection of witness's report of last year, as not conforming to the instructions under the Minute of 1861; remarks in this report in disapproval of the previous notice given of inspections, whilst such practice was inevitable under the Revised Code, 584–588.

Probability of the Minute of 1861 having the effect of causing some Inspectors to refrain from including in their reports matter which they would otherwise have included, but for the fear of offence to the department, 589–591——Witness has never made any alteration in reports sent back by the department, 592——Belief as to witness's special reports being sent to the schools unaltered by the department; form of sending the summary of each report to the managers adverted to hereon, 594–600——Approval of the department exercising a supervision and censorship over the reports in matters of length, irrelevancy, and nonsense, 601–604——Opinion that it would be better if the Lord President saw the inspectors about matters to be left out, 603.

[Second Examination.]—Importance of the change of practice, whereby the reports of only half the body of inspectors are published at the same time, the junior and senior inspectors being placed in the same rank, 656——Further reference to the objection raised by witness in regard to the practice of giving notice of inspections, 657–660.

Arnold, Mr. (Report for 1862). Copy of the general report (withheld by the Committee of Council) of Mr. Arnold for the year 1862, upon schools inspected by him in the counties of Berks, Bucks, Essex, Herts, Kent, Middlesex, and Oxford, *App.* 4–6.

B.

Bellairs, Mr. Removal from Mr. Bellairs' report for 1862, of a passage or passages favourable to the Revised Code, *Lingen* 44–50 —— Statement showing the passage cancelled in Mr. Bellairs' report for 1862, although favourable to the Revised Code, *ib.* 251–258.

Blandford, Mr. Alteration of the report of Mr. Blandford for 1862, so far as it expressed opinions in favour of the policy of the department, *Lingen* 44–50——Passage in Mr, Blandford's report for 1862, in favour of the Revised Code, which was omitted; other passage substituted in lieu of that omitted, *ib.* 258, 259.

Brodie, Mr. Admission as to certain passages in Mr. Brodie's report for 1863–64, being highly favourable to the policy of the department; private communication from witness to Mr. Brodie before the report was printed, *Lingen* 311–315.

C.

Cockburnspath School (Scotland). Explanatory statement on the subject of the curtailment by the department of a report by Dr. Woodward upon a school at Cockburnspath in Scotland, *Lingen* 620–628. 639–641.

Copy of Inspector's report; portion not communicated in the first instance to the managers, *App.* 74.

Committee of Council on Education. Equal powers of the Committee of Council as of a Secretary of State to regulate the proceedings of the office, *Lingen* 445–447——Mention of the chief Orders in Council by which the powers of the Committee of Council are defined, *ib.* 456, 457.

Coventry (Report on St. Mary's Schools). Particulars relative to the action taken by the department with reference to a report by Mr. Morell upon a school at Coventry; circumstance of the report having through misapprehension been sent unaltered to the managers of the school, *Lingen* 152–157.

Copy of witness's report on St. Mary's day school at Coventry, and portions thereof objected to by the Committee of Council, *Morell* 532–535——Understanding as to the objection having been raised because of the wish of the secretary to withhold the grants from the school; whereas witness's report, though to some extent condemnatory, justified the giving of grants, *ib.* 536.

Tendency of witness's report to exonerate the school from not having complied with the supplementary rules of the department, as to the standards on which the children were placed for examination, *Morell* 537–543——False representation of witness's views to the manager of the Coventry school, if the report had been altered and sent down according to the views of the secretary, *ib.* 544–548. 566–574.

Reports, 1864—*continued.*

Coventry (*Report on St. Mary's Schools*)—continued.

Character of the intimation received by witness from Mr. Lingen with reference to the shortening of the report; understanding as to a censure or menace having been implied, in the event of his not adopting the report as shortened, *Morell* 549-552——Painful position in which witness was placed in the matter; eventually he threw upon the secretary the responsibility of curtailment, *ib.* 551. 553-559. 559——Statement as to Mr. Lingen not having ultimately curtailed the report on the day school, whilst he withheld witness's supplementary report on the night school, which was more fully of an exculpatory character, *ib.* 556-559.

Copy of manuscript addition to printed form, as first communicated to managers on 14th October 1863, *App.* 71.

Letter from Mr. Lingen to the managers, dated 13th November 1863, explaining the final decision of the department upon the subject of the grant to be given to the school, *App.* 71, 72.

Copy of marginal note by Mr. Lingen, suggesting alteration in Mr. Morell's report, *App.* 72——Memorandum by Mr. Morell in reply to Mr. Lingen's marginal note, *ib.* ——Further memorandum by Mr. Lingen, to the effect that Mr. Morell's report had been already communicated to the managers, *ib.*

Schedule containing particulars in connexion with the grants, and extending over the eleven months ended 31st March 1863, *App.* 73.

Cumming, James, LL.D. Certain red-ink alterations in Dr. Cumming's report for 1861-62 were made by witness, *Lingen* 192-195——With regard to witness having scored out some passages in Dr. Cumming's report for 1861-62, he does not admit that this amounted to a mutilation of the report, *ib.* 282-286.

General report for the year 1861 by Dr. Cumming on the schools connected with the Free Church and other schools inspected by him on the north and east of Scotland, and in the Orkney and Shetland Islands, *App.* 26, 27——Several passages marked in this report, *ib.*

Curtailment of Reports. See *Length of Reports.*

E.

Examiners (*Office of Committee of Council on Education*). Recognition by Sir Stafford Northcote and Sir Charles Trevelyan, in their investigation in 1853, of the necessity of a class of examiners for dealing with the reports on individual schools before they are communicated to the managers, *Lingen* 156——Considerations as to the practice of the office in regard to the supervision exercised over the reports through the examiners; very competent character of these officers, *ib.* 623-638.

Regulations in regard to the examiners not altering the reports for transmission to the managers without previous communication with the Inspectors, save under certain circumstances, *Lingen* 623-635. 641——Necessity of a staff of examiners as a check upon the reports laid before the managers, *ib.* 636——Definition of the functions of the examiners by the Treasury Committee of Inquiry in 1853, *ib.* 644.

G.

General Reports. The annual or general reports have been always submitted to Parliament, *Lingen* 7, 8.

Grants to Schools. Necessity of the supervision exercised over the tabulated reports with reference to the grants which the Committee of Council are prepared to make to the schools, *Lingen* 133. 147.

Granville, the Right Hon. the Earl. (Analysis of his Evidence.)—Has been President of the Committee of Council on Education since 1853, with the exception of two intervals, 676-678——Considers himself responsible for the whole action of the department, 679, 680——A manuscript report of Mr. Longueville Jones was submitted to witness in 1863, and he made a memorandum upon it, to the effect that much of it was irrelevant, and that its tone was not that of a person who wished to act in cordial co-operation with the department, 681-683——Witness did not mark this report, and does not recollect whether it was marked when submitted to him, 684, 685.

Witness was not conversant with the details of the mode of carrying out the Minute of 1861; 686, 687——A letter of instructions was sanctioned by witness, requiring the Inspectors to exclude all suggestions inconsistent with the principles of the Minutes sanctioned by Parliament, 688-691——There are a great many passages in the reports submitted to Parliament which are unfavourable to the Revised Code, 692——Witness acted upon his own opinion in making the memorandum on Mr. Jones's report, 693.

Reports, 1864—*continued.*

I.

Individual or Special Reports. See *Tabulated or Special Reports.*

Inspectors (*Appointment, Dismissal, &c.*) First appointment of Inspector of Schools in 1839, *Lingen* 4——Any refusal by an Inspector to alter his report would not lead to his dismissal, or to his suffering at the hands of the department, *ib.* 149, 150. 178——Mode of appointment and removal of the Inspectors, *ib.* 359——For all practical purposes, the Inspectors hold office at the pleasure of the Committee of Council for the time being, *ib.* —— Further statement of the powers of the Committee of Council in regard to the appointment and functions of the Inspectors, *ib.* 445-448.

See also *Instructions to Inspectors.*

Instructions to Inspectors. The first instructions to the Inspectors are dated August 1840, *Lingen* 6——Considerable changes made in the duties of the Inspectors since 1846, when annual grants first were made; the instructions, however, of 1840 still continue as the basis of their duties, *ib.* 9——Frequent instructions on the subject of the length of the reports, *ib.* 10–14——Particulars in connexion with the object and operation of the instruction of 31st January 1861, *ib.* 15–19. 79 *et seq.*

Reference to instructions issued by Mr. Adderley, dated 22d May 1858, and to subsequent instructions in November 1858, relative to the question of printing the individual reports, and the basis to be observed by the Inspectors in the preparation of the annual reports, *Lingen* 231, 232, *and App.* 46. 52.

Similar powers of the Committee as of a Secretary of State to regulate the proceedings of the office without submitting them to Parliament, *Lingen* 445. 447——Submission to Parliament of the original instructions for the guidance of the Inspectors, *ib.* 458, 459 —— Subsequent instructions have not always been submitted to Parliament, but have been moved for, and been then laid before the House from time to time *ib.* 458–467.

Statement as to the letter of instructions in August 1863 not having been submitted to Parliament, though there probably was no previous direction to the Inspectors not to express opinions contrary to the principles of the minutes, *Lingen* 468. 473-476.

A letter of instruction was sanctioned by witness requiring the Inspectors to exclude all suggestions unconnected with the principles of the minutes sanctioned by Parliament, *Earl Granville* 688-691.

Copies of instructions issued from time to time to the Inspectors; also of other documents relating to inspection and Inspectors' reports, *App.* 30-62.

Thorough review in 1860 of the instructions by which the Inspectors' reports were regulated, the result having been the issue of the Minute of 31st January 1861, *Rep.* iv.

Recommendation that all instructions which may hereafter from time to time be issued to the Inspectors, either as their general or tabulated reports, should be laid before Parliament with the annual report of the Committee of Council, *Rep.* vi.

See also *Minute or Instruction of January 1861.*

Insubordination. Argument as to the right of witness to repress anything in the reports which tended to insubordination in the department, or was of a decidedly hostile character, *Right Hon. R. Lowe* 711. 719.

J.

Jones, The Rev. H. Longueville. Peculiarly hostile character of the report of Mr. Longueville Jones, in 1862-63, so that witness considered it expedient to lay the matter before the President, *Lingen* 168-171—— This report was suppressed; also a second report subsequently submitted by Mr. Jones, *ib.* 172, 173.

Special character of the case of Mr. Longueville Jones's report for 1862 further adverted to, *Lingen* 278–281. 305–307. 316——Circumstance of some pencil marks having been upon Mr. Jones's manuscript report in 1863, although it was directed in 1862 that marks should not be made upon the manuscripts; belief as to these marks having been made by witness, *ib.* 297–304. 349——With regard to a certain passage marked by witness in the report of Mr. Jones, he so marked it because he thought it displayed an animus towards the department, *ib.* 305–307.

The marks made by witness in Mr. Jones's report were not intended for him, but for the purpose of instructing Lord Granville, *Lingen* 348–350—— Intentionally hostile and embarrassing character of this report further adverted to, *ib.* 351–358——This was not the first occasion by a great many that witness had to complain of Mr. Jones, *ib.* 353. 619.

Witness has acted as an Inspector of Schools since the spring of 1849; he produces his report for 1862 (App. 6–9), *Jones* 443.

Any

Reports, 1864—*continued.*

Jones, The Rev. H. Longueville—continued.

Any marks upon Mr. Longueville Jones's report for 1862 were not affixed by witness; reference hereon to a private conversation between Mr. Jones and witness upon the subject of these marks, *Tilleard* 515–527.

Further expression of the belief that the marks upon Mr. Jones's report for 1862 were affixed by witness, *Lingen* 609——Further conclusion that the marked passages in this report were written with an animus against the department, and were intended to embarrass it, *ib.* 610-619——Reasons for witness having submitted this report directly to the Lord President further adverted to, *ib.* 619.

Evidence in explanation of some erasures by witness in the report of Mr. Longueville Jones for 1861, *Lingen* 645-655.

Copy of the General Report for 1861 by Mr. Jones, showing the particular passages scored out in the department as objectionable, *Ev. p.* 50–53.

A manuscript report of Mr. Longueville Jones was submitted to witness in 1863, and he made a memorandum upon it to the effect that much of it was irrelevant, and that its tone was not that of a person who wished to act in cordial co-operation with the department, *Earl Granville* 681–683——Witness did not mark this report, and does not recollect whether it was marked when submitted to him, *ib.* 684, 685——Witness acted upon his own opinion in making the memorandum upon Mr. Jones's report, *ib.* 693.

Return of a report of Mr. Longueville Jones on account of the strong and hostile animus which it displayed towards the department, *Right Hon. R. Lowe* 720. 736——Foolish and harmless character of a passage in Mr. Jones's report of 1863, though it may have been intended to embarrass the department, *ib.* 731–735.

Copy of the general report of Mr. Jones for the year 1862 on the Church of England schools inspected by him in Wales (withheld by the Committee of Council), *App.* 6–8——Several passages marked in this report, *ib.* 7, 8.

Memorandum by Lord Granville that this report appears to have much that is inconsistent with the Minute of 31st January 1861; and that the tone of it is not that of an officer who is anxious cordially to co-operate with his official chief, *App.* 8.

Further general report forwarded to the Committee of Council by Mr. Jones for the year 1862 upon schools in Wales, *App.* 8, 9——Inability of this Committee to proceed with the investigation of this case on account of the serious illness of Mr. Jones, *Rep.* v.

L.

Length of Reports. Repeated instructions issued to the Inspectors since 1851 or 1852 with a view to the curtailment of the reports, *Lingen* 10–14——Great length of the reports generally, as printed for presentation to Parliament, so that it was finally determined to exclude the special reports, and not to incur the expense of printing them, *ib.* 223–229.

Frequent complaint made in regard to the length of the annual reports, *Rep.* iv——Issue of instructions from time to time with a view to keeping the reports within due limits, *ib.*

Suggestion that it might be possible to obtain all the information which the Inspectors can be desired to give to the department or to Parliament, by requiring them to furnish answers to specific questions instead of making general reports, *Rep.* vi.

Lingen, Ralph Robert Wheeler. (Analysis of his Evidence.)—Has been Secretary to the Committee of Council on Education since 1850; 1–3——First appointment of Inspectors of Schools in 1839; the first instructions having been issued in August 1840; 4–6——Explanation as to the Inspectors' reports on individual schools not being now printed or submitted to Parliament, 7, 8——The annual or general reports have been always submitted to Parliament, *ib.*

Considerable changes made in the duties of the Inspectors since 1846, when annual grants first were made; the instructions of 1840 still continue, however, as the basis of their duties, 9——Repeated instructions issued since 1851 or 1852 with a view to a curtailment of the reports, 10–14——Circumstances under which the Minute of 31 January 1861 was passed by the Committee of Council; copy of this Minute, 15–19——Regulation laid down in the Minute of January 1861 that the reports, if not conforming to a certain standard, should be returned to the inspectors for revision, and, if still objectionable when again received, should be put aside by the Department, 15. 20.

Reference to a letter from witness to Lord Granville in April last, as showing the practice of the department at different periods in regard to to the supervision of the reports, 17. 19——Statement as to Mr. Adderley having been accustomed to strike out objectionable or controversial passages, 17. 163–165——Practice in 1859 and 1860 as to the officer (Mr. Tilleard), who read the reports for press, calling the attention of witness to any objectionable passages, either by marking them or by mentioning them orally, 17–19.

Reports, 1864—*continued.*

Lingen, Ralph Robert Wheeler. (Analysis of his Evidence)—*continued.*

Continuance for some time after the Minute of 1861 of the practice of marking objectionable passages, witness not considering the practice inconsistent with the Minute, 19–21——Origin of the direction by the Vice-President, in February 1862, that the reports should no longer be marked, 22–24. 34–36. 50–56——Letters from Mr. Watkins, in February and March 1863, upon the subject of his reports not having been marked as formerly, 22. 34, 35. 50–53.

Discontinuance, since February 1862, of the practice of marking the reports, since which period they have been simply returned to the inspectors, with a copy of the Minute of 1861 appended, 25–27. 32, 33——Mention of the several reports withheld in 1861 and 1862, under the Minute of January 1861; 28–34——Final decision by the Vice-President upon the question of any report going to press, 37–39——Statement that the general ground upon which reports were withheld was the improper introduction of views or arguments upon the policy of the Department, 40–43——Instances of removal of passages which were very favourable to the Revised Code, 44–50. 184, 185.

Further statement that, to the best of witness's belief, no report was returned with red ink marks upon it after the order of 14th February 1862; 57–63——Information as to the several suppressed reports which witness is prepared to supply either in manuscript or in print, 64–72——Way in which, subsequently to the order of 14th February 1862, Mr. Tilleard called witness's attention to objectionable passages, 73–75——Mode in which witness communicated with the President in respect of objectionable passages; instance of his having expressed his opinion in writing, 76, 77——As a rule, the reports did not go before the President, 78.

Examination upon the question whether under the Minute of January 1861, the department did not require, or try to induce, the inspectors to remove passages from their reports under pain of suppression of the reports, 79–116——Exception taken to the statement that the department mutilated or required the inspectors to mutilate the reports, 98–103——Further statement as to the department having refused to publish statements of opinion unfavourable to its own educational views, 117–121——Instances of opinions or arguments having been admitted in the reports favourable to the policy of the department, 122–131.

Explanation of the practice in regard to the alterations repeatedly required by the department in the tabulated reports or reports upon individual schools; that is, with respect to the portions forwarded to the managers of the schools, 132 *et seq.*——Necessity of the supervision exercised over these reports with reference to the grants which the Committee of Council are prepared to make to the schools, 133. 147——Statement in defence of the issue of the altered reports to the managers of the schools, as containing the views of the inspectors, notwithstanding that alterations have been induced in them by witness, 137–148.

Dissatisfaction felt with a former practice of communicating the inspector's report to the managers, without alteration, but with the explanation that the Committee of Council did not agree with it, 148——Any refusal by an inspector to alter his report would not lead to his dismissal, or to his suffering at the hands of the department, 149, 150. 178——Particulars relative to the action taken by the department with reference to a report by Mr. Morell upon a school at Coventry; circumstance of the report having, through misapprehension, been sent unaltered to the managers of the school, 152–157.

Investigation of the system of the department by Sir Stafford Northcote and Sir Charles Trevelyan, in 1853, when they distinctly recognised the necessity of an official check upon the individual reports, 156——The Minute of 1861 did not apply at all to these reports, 158, 159——Further expression of the opinion that the system, in conformity with the Minute of 1861 was not tantamount to mutilating the reports, 160–162——Less strict supervision over controversial passages when not directly at variance with the policy of the department, 163–167.

Peculiarly hostile character of the report of Mr. Longueville Jones for 1862–63, so that witness considered it expedient to lay the matter before the President, 168–171——This report was suppressed; also a second report subsequently submitted by Mr. Jones, 172, 173——All the inspectors were made conversant with the Minute of 1861, but it has never been laid before Parliament, 174, 175. 182——Further question whether the Inspectors have any real grievance under the system of being required to make their reports conformable to the Minute of 1861; 176–181——Strictness of the supervision exercised by Mr. Adderley further adverted to, 183——Further explanation of the practice at different periods in regard to communicating the individual reports to the schools, 187, 188.

[Second Examination.]—Witness produces certain reports withheld from Parliament, for the years 1861 and 1862; 189, 190, and *App.* 1–24——With regard to certain reports returned for alteration, and subsequently presented, it has not been possible to obtain the original manuscripts, but witness submits proofs of two of these reports, 190–197, and *App.* 25–29. 75——Reference to a letter from Mr. Watkins dated 8th February 1862 as having

Report, 1864—*continued.*

Lingen, Ralph Robert Wheeler. (Analysis of his Evidence)—*continued.*

having been the means by which Mr. Lowe became aware that passages in the reports were then marked, 198–205.

Several official documents submitted (*App.* 30 *et seq.*), and further information supplied with reference to the reports on individual schools, 206-232——Reference to some instructions issued to the Inspectors in December 1843, as laying down the distinction between special and general reports, and as prescribing that the former must be subject to the approval of the Lord President, 212-216——Great length of the reports generally as printed for presentation to Parliament, so that it was finally determined to exclude the special reports, and not to incur the expense of printing them, 223–229.

Reference to instructions issued by Mr. Adderley, dated 22d May 1858, and to subsequent instructions in November 1856, relative to the question of printing of the individual reports, and the basis to be observed by the Inspectors in the preparation of the annual reports, 231, 232, and *App.* 46. 52——Form in which the reports were re-transmitted to the Inspectors, when altered during the time of Mr. Adderley, 233–235——Frequent striking out of passages when Mr. Adderley was in office; instance in the case of a report of Mr. Watkin for 1858; 236–250.

Statement showing the passage cancelled in Mr. Bellairs' report for 1862, although favourable to the Revised Code, 251–258——Passage in Mr. Blandford's report for 1862, in favour of the Revised Code, which was omitted; other passage substituted in lieu of that omitted, 258, 259——Memorandum by witness, dated 1st May 1863, with reference to certain reports touching on policy and on the future; this memorandum was put before the Vice-President, 260–265——Witness contends that the rule of action under the Minute of January was fairly and impartially applied, whether the reports were for or against the policy of the department, 266, 267. 273–276.

Circumstance of witness having been of opinion that a certain report of Mr. Watkins should be printed, whilst the Vice-President took a contrary view, 268–270——Explanation that when Mr. Norris's report for 1862 was returned for alteration, he did not alter the sense of the passage objected to, 271, 272—— Duty fulfilled by Mr. Tilleard in his capacity of reader for the press; his attention was called by witness to the Minute of 1861, but it was not his function to pronounce any opinion about the matter, 277—— Special character of the case of Mr. Longueville Jones's report for 1862 further adverted to, 278-281. 305–307. 316.

With regard to witness having scored out some passages in Dr. Cumming's report for 1861-62, he does not admit that this amounted to a mutilation of the report, 282–286 —— Explanation that in sending to Mr. Tinling the revised proof of his report in 1863, there was no red ink-mark made upon it; particular sentence objected to in this report, 287–296——There was no special communication with Mr. Tinling as to the passage to be omitted, 289–294——Circumstance of some pencil-marks having been upon Mr. Jones's manuscript report in 1863, although it was directed in 1862 that marks should not be made upon the manuscripts; belief as to these marks having been made by witness 297–304. 349.

Non-alteration of any of the reports for 1863–64; 308, 309. 343-346——Understanding as to the Vice-President having stated that these reports were conformable to the Minute of 1861; 310——Admission as to certain passages in Mr. Brodie's report for 1863-64 being highly favourable to the policy of the department; private communication from witness to Mr. Brodie before this report was printed, 311–315——Reference to a circular letter to the Inspectors, dated 31st August 1863, and examination thereon upon the question of its having required the exclusion of opinions adverse to the educational views of the department, 317–328.

Experience of the Inspectors as to the Revised Code in 1863–64, but not previously, 329–333——Opinion as to the Inspectors being precluded not only from expressing their own opinions or speculations, but from giving statements of the opinions of others, 334–336——Admission of opinions favourable to the policy of the department in the reports for 1863–64, further adverted to; probability of views unfavourable to such policy being also contained in these reports, 337–346——Both in 1862 and 1863 there are many passages admitted which might be used against the policy of the department, 347.

The marks made by witness in Mr. Jones's report were not intended for him, but for the purpose of instructing Lord Granville, 348-350——Intentionally hostile and embarrassing character of this report further adverted to, 351–358——Mode of appointment and removal of the Inspectors, 359——Omissions from any report were not indicated by any mark in the printed report, 360——Authoritative character of the direction given by Mr. Lowe, in February 1862, for the discontinuance of the practice of marking objectionable passages, 361–366.

[Third Examination.]—Further statement of the powers of the Committee of Council in regard to the appointment and functions of the Inspectors, 445–448—— Similar power of the Committee as of a Secretary of State to regulate the proceedings of the office, without submitting them to Parliament, 445. 447——Frequent reference made in Parliament

Report, 1864—*continued.*

Lingen, Ralph Robert Wheeler. (Analysis of his Evidence)—*continued.*

ment to the Minute of 1861, although it has not been formally submitted to Parliament; explanation hereon, that the Minute is merely a declaratory one, and does not purport to vary the previous instructions to the Inspectors, 449–452. 460–462. 469–472.

Understanding as to the Committee of Council deeming it incumbent to go to Parliament, not only in all matters involving expenditure, but in matters involving a charge of principle, 453–467——Mention of the chief Orders in Council, by which the powers of the Committee of Council are defined, 456, 457——Submission to Parliament of the original instructions for the guidance of the Inspectors, 458, 459——Subsequent instructions have not always been submitted to Parliament, but have been moved for and been laid before The House from time to time, 458–467——Statement as to the letter of instructions in August 1863 not having been submitted to Parliament, although there probably was no previous direction to the Inspectors not to express opinions contrary to the principles of the Minutes, 468. 473–476.

[Fourth Examination.]—Explanation that in the case of Mr. Tinling's report for 1862 there was some communication between witness and him as to the particular portion objected to by the department, 605–607——Reference to the proof of this report, as sent back by Mr. Tinling, showing the lines erased, and their unfavourable tendency as regards the Revised Code, 608.

Further expression of the belief that the marks upon Mr. Jones's report for 1862 were affixed by witness, 609——Examination as to the grounds for witness's conclusion that the marked passages in this report were written with an animus against the department, and were intended to harass it, 610–619——Reason for witness having submitted this report directly to the Lord President, 619.

Explanatory statement on the subject of the curtailment by the department of a report by Dr. Woodward upon a school at Cockburnspath, in Scotland, 620–628. 639–641——Considerations as to the practice of the office in regard to the supervision exercised over the reports through the examiners; very competent character of these officers, 623–638 Regulations in regard to the examiners not altering the reports for transmission to the managers, without previous communication with the Inspectors, save under certain circumstances, 623–635. 641——Necessity of a staff of examiners as a check upon the reports laid before the managers, 636——Definition of the functions of the examiners by the Treasury Committee of Inquiry in 1853; 644.

Evidence in explanation of some erasures by witness in the report of Mr. Longueville Jones for 1861; 645–655——Copy of the general report for 1861 by Mr. Jones, showing the particular passages scored out in the department as objectionable, *p.* 50–53.

[Fifth Examination.]—Witness will lay before the Committee references to various passages in the reports for the last three years, which might be used in argument against the Revised Code, 788–792, and *App.* (K.) 74.

Lingen, Mr. Frequent confidential communications between Mr. Lingen and witness as Inspector; invariable courtesy and kindness experienced from the department, *Tinling* 667–675.

Lowe, The Right Hon. Robert (Member of the House.) (Analysis of his Evidence.)—Was Vice-President of the Committee of Council on Education since 1859, until recently, 694, 695——The general reports of the Inspectors came under witness's cognizance, but not the individual reports, 696–698——Reluctance of witness to strike out anything from the reports, whilst he considered it desirable that the Inspector should be his own censor; hence the Minute or Order of 1861; 699–705——Objection felt by witness to any direct interference with the reports which should lead to controversies with the Inspectors, 699. 703.

Very objectionable passages in a report by Mr. Morell adverted to as having induced witness to bring forward the order or instruction of January 1861; 700–703——Intention under this order not to send back the reports for every little deviation, but only in cases in which the Inspectors should clearly see what was objectionable, 704. 716. 727——The instruction of 1861 was intended merely for the internal discipline of the department, and was not laid before Parliament as a Minute, 704, 705. 711.

Explanation that witness resigned his office, not because his department was censured by the House, but because he considered that his personal honour was struck at on the subject of a mutilation of the reports, 706, 707——Argument as to its having being the proper duty of witness to send back reports containing controversial matter with reference to the Revised Code, or matter directly hostile to the department, 708–711. 719.

Desire of witness to hold the balance even in regard to the admission of passages tending in favour of or against the Revised Code, 712. 717, 718——Statement that witness was not aware till February 1862 that passages were marked in the reports sent back to the Inspectors; he at once prohibited the practice, 713–715——Return of a report of Mr. Longueville Jones on account of the strong and hostile animus which it displayed towards the department, 720. 736.

Instance

Report, 1864—*continued.*

Lowe, The Right Hon. Robert (*Member of the House*). (Analysis of his Evidence)—*cont*[d].

Instance in the case of Mr. Watkins, of passages unfavourable to the educational views of the Committee of Council having been sent back; propriety thereof, 721. 728, 729 ——Reference to the instructions issued in August 1863, and their intended operation as regards the exclusion of suggestions inconsistent with the principles of Minutes sanctioned by Parliament, 722–726——Probable admission of matter favourable to the department upon controversies pending at the time in Parliament, 727. 730——Foolish and harmless character of a passage in Mr. Jones's report of 1863, though it may have been intended to embarrass the department, 731–735.

Examination to the effect that witness has not sent back reports for the purpose of having particular passages expunged or qualified, but for the general purpose of having them made conformable to the instructions of the Privy Council, 736–755——Distinction drawn by witness between a direction to cut out objectionable passages, and a direction to make the report conformable to the instructions, 741–755——Argument that the required alteration of reports did not prevent a fair representation of the opinions of the Inspectors, 756–760.

Practice not to send back reports because any facts in them were unfavourable to the policy of the department, 761–763*——Further statement that witness never intended that the supervision should be less strict when the opinions expressed were not unfavourable to the policy of the office, 764——The reports were read to witness by his private secretary, and Mr. Lingen did not in any way bring objectionable passages to witness's notice, 765–770.

Probability that witness would have sent back reports containing statements of the opinions of others unfavourable to the department, 771–779——Limited communication between Mr. Lingen and witness about objectionable passages in the reports further adverted to, 780–783——Irregularity if any report had been sent back to an Inspector on Mr. Lingen's suggestion only, 784. 787——Form of the direction given by witness in February 1862, that marks should not be made on the reports, 785, 786.

M.

Manuscript Reports (1861 and 1862). Communications from several Inspectors to the Secretary to the Committee of Council on Education, in June 1864, to the effect that they are not in possession of the manuscripts of their reports for the year ending 31st August 1861, *App.* 25——Communications on the subject of the existence of the manuscript reports for the year ending 31st August 1862, *ib.* 75.

See also *Withheld or Suppressed Reports.*

Marking the Reports. Practice in 1859 and 1860 as to the officer (Mr. Tilleard) who read the reports for press, calling the attention of witness to any objectionable passages, either by marking them or by mentioning them orally, *Lingen* 17–19——Continuance for some time after the Minute of 1861 of the practice of marking objectionable passages, witness not considering the practice inconsistent with the Minute, *ib.* 19–21——Origin of the direction by the Vice-President, in February 1862, that the reports should no longer be marked, *ib.* 22–24. 34–36. 50–56——Letters from Mr. Watkins, in February and March 1863, upon the subject of his reports not having been marked as formerly, *ib.* 22. 34, 35. 50–53.

Statement that to the best of witness's belief, no report was returned with red ink marks upon it after the order of the 14th February 1862, *Lingen* 25–27. 32, 33. 57–63 ——Reference to a letter from Mr. Watkins, dated 8th February 1862, as having been the means by which Mr. Lowe became aware that passages in the reports were then marked, *ib.* 198–205——Authoritative character of the direction given by Mr. Lowe, in February 1862, for the discontinuance of the practice of marking objectionable passages, *ib.* 361–366.

Witness indicated by red ink or red crayon marks in the margin the passages which he considered objectionable, *Tilleard* 483——Since the Vice-President's order of 14th February 1862, witness has never applied any marks, except for the printer, *ib.* 484–490 ——Statement that the marking was a mere mode of calling attention, and that there was no significance attached to the mark, *ib.* 501–505——Frequent instances of witness's marks having been overruled, *ib.* 505, 506.

Statement that witness was not aware, till February 1862, that passages were marked in the reports sent back to the Inspectors; he at once prohibited the practice, *Right Hon. R. Lowe* 713–715——Form of the direction given by witness, in February 1862, that marks should not be made on the reports, *ib.* 785, 786.

Origin of the practice by which the officer, whose duty it was to read the reports for the press, used to call the secretary's attention to passages which he considered objectionable, either by marking them or mentioning them orally, *Rep.* iv——Continuance of the practice of marking passages in the reports, without the knowledge of Mr. Lowe, *ib.*——Direction given by Mr. Lowe, in February 1862, on discovering

Report, 1864—*continued.*

Marking the Reports—continued.

that the reports were marked, that the practice should be discontinued, *Rep.* iv ——Absence of any instance of marking the reports since 14th February 1862, except in the case of Mr. Longueville Jones's report for 1862–63, *ib.* iv, v.——Inadvertence or mistake through which passages were marked in some reports subsequently to the Minute of January 1861, *ib.* v.

Circumstance of the House not having been informed of the fact that some passages had been marked between January 1861 and February 1862, and that all marking was stopped from the latter date, *Rep.* v.

See also *Cumming, James, LL.D. Jones, The Rev. H. Longueville. Mutilation of Reports. Revised Code. Supervision or Revision of Reports. Tabulated or Special Reports.*

Minute or Instruction of January 1861. Circumstances under which the Minute of the 31st January 1861 was passed by the Committee of Council; copy of this Minute, *Lingen* 15–19——Regulation laid down in the Minute of 31st January 1861, that the reports, if not conforming to a certain standard, should be returned to the Inspectors for revision, and if still objectionable when again received, should be put aside by the department, *ib.* 15. 20.

Examination upon the question whether, under the Minute of January 1861, the department did not require, or try to induce, the Inspectors to remove passages from their reports, under pain of suppression of the reports, *Lingen* 79–116 —— All the Inspectors were made conversant with the Minute of 1861, but it has never been laid before Parliament, *ib.* 174, 175. 182 ——Further question whether the Inspectors have any real grievance under the system of being required to make their reports conformable to the Minute of 1861, *ib.* 176–181.

Frequent reference made in Parliament to the Minute of 1861, although it has not been formally submitted to Parliament; explanation hereon that the Minute is a merely declaratory one, and does not purport to vary the previous instructions to the Inspectors, *Lingen* 449–452. 460–462. 469–472.

Understanding as to the Minute of 1861 having prohibited all kind of general discussion on the part of the Inspectors, *Tilleard* 495–498.

Probability of the Minute of 1861 having the effect of causing some Inspectors to refrain from including in their reports matter which they would otherwise have included, but for fear of offence to the department, *Arnold* 596–591.

Reluctance of witness to strike out anything from the reports, whilst he considered it desirable that the Inspector should be his own censor; hence the Minute or Order of 1861, *Right Hon. R. Lowe* 699–705——Intention under this Order not to send back the reports for every little deviation, but only in cases in which the Inspectors should clearly see what was objectionable, *ib.* 704. 716. 727——The instruction of 1861 was intended merely for the internal discipline of the department, and was not laid before Parliament as a Minute, *ib.* 704, 705. 711.

Witness was not conversant with the details of the mode of carrying out the Minute of 1861, *Earl Granville* 886, 887.

Reference by the Committee to the general review by the department of the previous instructions which led to the Minute of 31st January 1861, *Rep.* iv.——Circumstance of this Minute not having been laid before Parliament, *ib.*

Moncreiff, The Rev. G. R., M.A. General report for the year 1862 by Mr. Moncreiff, on schools inspected by him in the counties of Cumberland, Durham, Northumberland, and Westmorland (such report having been withheld by the Committee of Council), *App.* 9–15.

Morell, John R. (Analysis of his Evidence.)—Was an Inspector of schools from March 1857 till March 1864; 529–531——Copy of witness's report on St. Mary's Day-school at Coventry, and portions thereof objected to by the Committee of Council, 532–535——Understanding as to the objection having been raised, because of the wish of the Secretary to withhold the grants from the school; whereas witness's report, though to some extent condemnatory, justified the giving of grants, 536——Tendency of witness's report to exonerate the school from not having complied with the supplementary rules of the department as to the standards in which the children were placed for examination, 537–543.

False representation of witness's views to the manager of the Coventry School if the report had been altered and sent down according to the views of the Secretary, 544–548. 566–574——Character of the intimation received by witness from Mr. Lingen, with reference to the shortening of the report; understanding as to a censure or menace having been implied, in the event of his not adopting the report as shortened, 549–552——Painful position in which witness was placed in the matter; eventually he threw upon the Secretary the responsibility of curtailment, 551. 553–555. 559.

Statement as to Mr. Lingen not having ultimately curtailed the report on the day-school,

Report, 1864—*continued.*

Morell, John R. (Analysis of his Evidence)—*continued.*

school, whilst he withheld witness's supplementary report on the night-school, which was more fully of an exculpatory character, 556-559——Deception of the managers of the schools, whilst the Inspectors are placed in a false position, through the alterations required by the department in the original views of the latter, 566–571——Impropriety of the practice of sending to the schools an office summary of portions of the reports, instead of a summary of the whole observations of the Inspectors in their own words, 572-574.

Morell, Mr. Very objectional passages in a report by Mr. Morell adverted to as having induced witness to bring forward the Order or Instruction of January 1861, *Right Hon. R. Lowe* 700–703.

Mutilation of Reports. Exceptions taken to the statement that the department mutilated, or required the Inspectors to mutilate, the reports, *Lingen* 98–103——Further expression of the opinion that the system in conformity with the Minute of 1861 was not tantamount to mutilating the reports, *ib.* 160–162——Dissent from the view that the scoring out by witness of some passages in a report of Dr. Cumming was tantamount to a mutilation of the report, *ib.* 282-286.

Examination to the effect that witness has not sent back reports for the purpose of having particular passages expunged or qualified, but for the general purpose of having them made conformable to the instructions of the Privy Council, *Right Hon. R. Lowe* 736–755——Distinction drawn by witness between a direction to cut out objectionable passages and a direction to make the report conformable to the Instructions, *ib.* 741–755.

With regard to the question of the reports having been mutilated, the Committee show that any alterations since January 1861 were made by the Inspectors themselves on receiving back their reports, with the intimation that they were not in conformity with the Minute of that date, *Rep.* iv, v.

See also *Adderley, Right Hon. Mr. Alteration of Reports. Coventry, &c. Marking the Reports. Resignation of Mr. Lowe. Revised Code. Supervision or Revision of Reports. Tabulated or Special Reports.*

N.

Norris, Mr. Instance of removal from a report of Mr. Norris of a passage directly in favour of the Revised Code, *Lingen* 44-50. 184, 185——Explanation that, when Mr. Norris's report for 1862 was returned for alteration, he did not alter the sense of the passage objected to, *ib.* 271, 272.

Notice of Inspection. Objection raised by witness in regard to the practice of giving notice of inspection; rejection of this report by the department, *Arnold* 584-588. 657-660.

O.

Omissions from Reports. Omissions from any report were not indicated by any mark in the printed report, *Lingen* 360.

P.

Parliamentary Control (*Committee of Council on Education*). Understanding as to the Committee of Council deeming it incumbent to go to Parliament, not only in all matters involving expenditure, but in matters involving a change of principle, *Lingen* 453-467.

See also *Instructions to Inspectors.*

Policy of the Department. See *Revised Code.*

President of Committee of Council. As a rule, the reports did not go before the President, *Lingen* 78.

Opinion that it would be better if the Lord President saw the Inspectors about matters to be left out, *Arnold* 603.

Witness considers himself responsible for the whole action of the department, *Earl Granville* 679, 680.

Publication or Printing of Reports. Explanation as to the reports on individual schools not being now printed or published on account of the expense, *Lingen* 7, 8. 223–229——Final decision by the Vice-President upon the question of any report going to press, *ib.* 37–39.

Report, 1864—*continued.*

Publication or Printing of Reports—continued.

Witness has no great desire to have his reports printed; his chief thought in writing them is how to make them useful to the schools, *Arnold* 589.

Importance of the change of practice, whereby the reports of only half the body of Inspectors are published at the same time, the junior and senior Inspectors being placed in the same rank, *Arnold* 656.

Copy or extracts of correspondence between the Committee of Council on Education and the Managers of Schools and the Inspectors upon the subject of the distribution, publication, and preparation of the annual reports of the Inspectors, *App.* 45-62—— Circular letter of 22 May 1858, stating the restrictions to be placed in future upon the publication of the reports, *ib.* 46.

Treasury Minutes at different periods directing that certain checks be applied with a view to curtailing the expense of printing and publication, *App.* 47, 48.

Representation by the main body of the Inspectors, dated 26 June 1858, with a view to a recommendation of the decision restricting the publication of their reports, *App.* 49, 50.

See also *Withheld or Suppressed Reports.*

R.

Resignation of Mr. Lowe. Explanation that witness resigned his office not because his department was censured by the House, but because he considered that his personal honour was struck at on the subject of a mutilation of the reports, *Right Hon. R. Lowe* 706, 707.

Revised Code. Statement as to the department of the Committee of Council having refused to publish statements of opinion unfavourable to its own educational views, *Lingen* 17. 19. 117-121. 334-336——Instances of the removal of passages which were very favourable to the Revised Code, *ib.* 44-50. 184, 185——Instances of opinions or arguments having been admitted in the reports favourable to the policy of the department, *ib.* 122-131——Less strict supervision over controversial passages when not directly at variance with the policy of the department, *ib.* 163-167.

Evidence to the effect that the department has acted with fairness and impartiality in regard to the admission or exclusion of matter bearing upon the Revised Code or the general policy of the department, *Lingen* 266, 267. 273-276——Reference to a circular letter to the Inspectors, dated 31 August 1863, and examination thereon upon the question of its having required the exclusion of opinions adverse to the educational views of the department, *ib.* 317-328——Experience of the Inspectors as to the Revised Code in 1863-64, but not previously, *ib.* 329-333.

Admission of opinions favourable to the policy of the department in the reports of 1863-64 further adverted to; probability of views unfavourable to such policy being also contained in these reports, *Lingen* 337-346——Both in 1862 and 1863 there are many passages admitted which might be used against the policy of the department, *ib.* 347.

The first suppressed report of witness has been destroyed, but the passages objected to and marked had reference to the New Code, and were condemnatory of it, *Watkins* 374-380——Statement as to the report of witness for 1863-64 not having contained any opinion unfavourable to the New Code, *ib.* 392-396——Character of the statements suppressed in witness's first report that was rejected; question whether facts as well as opinions were not objected to, *ib.* 397-405. 412-427——The report of witness for 1861 would have been published about the time the Revised Code was under discussion in the House of Commons, *ib.* 437-441.

Objection raised in the department to some remarks in the first suppressed report of witness relative to the system in France, such remarks being of an entirely practical character, but bearing against the policy of the Revised Code, *Arnold* 580-583. 592, 593 ——Rejection of witness's report of last year, as not conforming to the instructions under the Minute of 1861; remarks in this report in disapproval of the previous notice given of inspections, whilst such practice was inevitable under the Revised Code, *ib.* 584-588. 657-660——There was nothing at all of a controversial character in witness's remarks upon the French system, *ib.* 593.

Opinion that it is not consistent with the original instructions to the Inspectors that the department should have a right to exclude anything at variance with the policy of the department at the time of the reports, *Arnold* 602.

Statement as to a report by witness in 1863 having been returned to him for revision, and to his having communicated privately with Mr. Lingen, in order to ascertain the portion objected to, *Tinling* 663-665——Intimation received by witness from Mr. Lingen, that the passage in question was one which referred unfavourably to the withdrawal of augmentation grants; removal of this passage by witness, *ib.* 665-667. 671-673.

There

Report, 1864—*continued.*

Revised Code—continued.

There are a great many passages in the reports submitted to Parliament which are unfavourable to the Revised Code, *Earl Granville* 692.

Argument as to its having been the proper duty of witness to send back reports containing controversial matter with reference to the Revised Code, or matter directly hostile to the department, *Right Hon. R. Lowe* 708–711. 719——Desire of witness to hold the balance even in regard to the admission of passages tending in favour of or against the Revised Code, *ib.* 712. 717, 718——Instance in the case of Mr. Watkins of passages unfavourable to the educational views of the Committee of Council having been sent back; propriety thereof, *ib.* 721. 728, 729.

Probable admission of matter favourable to the department upon controversies pending at the time in Parliament, *Right Hon. R. Lowe* 727. 730——Practice not to send back reports because any facts in them were unfavourable to the policy of the department, *ib.* 761–763*——Further statement that witness never intended that the supervision should be less strict when the opinions expressed were nor unfavourable to the policy of the office, *ib.* 764.

Witness lays before the Committee references to various passages in the reports for the last three years which might be used in argument against the Revised Code, *Lingen* 788–792 and *App.* (K) 74.

Attention drawn by the Committee to passages in the reports, as printed, which may be considered adverse to the policy of the department, *Rep.* v, vi.

See also *Bellairs, Mr. Blandford, Mr. Brodie, Mr. Instructions to Inspectors. Jones, the Rev. H. Longueville. Marking the Reports. Minute or Instruction of January* 1861. *Norris, Mr. Supervision or Revision of Reports. Tabulated or Special Reports. Withheld or Suppressed Reports.*

Revision of Reports. See *Supervision or Revision, &c.*

S.

Salaries of Inspectors. Paper explanatory of the salaries or remuneration of the Inspectors *App.* 58.

Special Reports. See *Tabulated or Special Reports.*

Supervision or Revision of Reports. Explanatory statement upon the subject of the Minute of 1861, and the check brought to bear thereby by the Committee of Council upon the matter contained in the reports, *Lingen* 15–20. 79 *et seq.*——Reference to a letter from witness to Lord Granville in April last, as showing the practice of the department at different periods in regard to the supervision of the Inspectors' reports, *ib.* 17. 19——Statement as to Mr. Adderley having been accustomed to strike out objectionable or controversial passages from the reports, *ib.* 17. 163–165. 183. 233–250——Details relative to the supervision exercised by means of the reader for the press (Mr. Tilleard), who either marked objectionable passages or mentioned them to witness, *ib.* 17–19.

Discontinuance, since February 1862, of the practice of marking the reports, since which period they have been simply returned to the Inspectors, with a copy of the Minute of 1861 appended, *Lingen* 25–27. 32, 33. 57–63——Witness contends that, on the whole, the rule of action under the Minute of January was fairly and impartially applied, whether the reports were for or against the policy of the department, *ib.* 44–50. 184, 185. 266, 267. 273–276.

Way in which, subsequently to the Order of 14 February 1862, Mr. Tilleard called witness's attention to objectionable passages, *Lingen* 73–75——Mode in which witness communicated with the President in respect of objectionable passages; instance of his having expressed his opinion in writing, *ib.* 76, 77——Conclusion as to the Inspectors being precluded not only from expressing their own opinions or speculations, but from giving statements of the opinions of others, *ib.* 117–121. 334–336.

Details explanatory of the practice of supervision through the instrumentality of a competent staff of examiners, *Lingen* 156. 623–638. 641. 644.

Memorandum by witness, dated 1 May 1863, with reference to certain reports touching on policy and on the future; this memorandum was put before the Vice-President, *Lingen* 260–265——Duty fulfilled by Mr. Tilleard in his capacity of reader for the press; his attention was called by witness to the Minute of 1861, but it was not his function to pronounce any opinion about the matter, *ib.* 277——Non-alteration of any of the reports for 1863-64, *ib.* 303. 309. 343–346——Understanding as to the Vice-President having stated that these reports were conformable to the Minute of 1861, *ib.* 310.

The second report of witness, which was refused, was drawn up by witness with the greater care, because of the rejection of the previous report; probable passage objected to in the second report, *Watkins* 381–387. 406–411——This report faithfully represented witness's

Report, 1864—*continued.*

Supervision or Revision of Reports—continued.

witness's opinions so far as it went, but it did not represent them completely, *Watkins* 387-391. 410, 411.

Witness has been in the department of the Committee of Council for seventeen years; during six years of the time was a master at Kneller Hall Training School, *Tilleard* 477-480——Has been intrusted with the duty of looking over the Inspectors' reports before they were sent to press, with a view to noting anything which appeared contrary to the provisions of the Minute of 1861, *ib.* 481, 482——Evidence explanatory of the functions exercised by witness as regards passages deemed objectionable; reference more especially to the former practice of marking such passage, *ib.* 483-506——Modes in which, previously to February 1862 and since marking was discontinued, witness has indicated to the secretary the passages deemed objectionable, *ib.* 491-493——Absence of communication between witness and the Inspectors on the subject of passages objected to, *ib.* 494. 528.

Probability that witness would have called the secretary's attention to arguments upon general measures (but not by marking) even though the arguments rested upon facts within the Inspector's experience, *Tilleard* 498-504——Witness called the attention of the secretary to passages considered objectionable in the reports for 1863-64, equally with preceding reports; he had nothing whatever to do with the subsequent practice as to the admission or exclusion of such passages, *ib.* 507-514.

Comment upon the effect of the revision in the case of the reports sent to the managers of the schools from the department, as not representing the complete views of the Inspectors, *Morell* 566-571.

Approval of the department exercising a supervision and censorship over the reports in matters of length, irrelevancy, and nonsense, *Arnold* 601-604.

Details relative to the supervision, so far as it is exercised through the examiners, *Lingen* 623-638.

Witness has never felt in any way embarrassed in making his reports on account of the supervision exercised, *Tinling* 671, 672.

The general reports of the Inspectors come under witness's cognizance, but not the individual reports, *Right Hon. R. Lowe* 696-698——Explanation as to the modified character of the supervision or restriction contemplated by witness under the Minute of 1861; intention to make the Inspector his own censor, *ib.* 699-705. 711. 716, 717——Objection felt by witness to any direct interference with the reports which should lead to controversies with the Inspectors, *ib.* 699. 703——Reference to the instructions issued in August 1863, and their intended operation as regards the exclusion of suggestions inconsistent with the principles of Minutes sanctioned by Parliament, *ib.* 722-726.

Argument that the required alteration of reports did not prevent a fair representation of the opinions of the Inspectors, *Right Hon. R. Lowe* 756-760——The reports were read to witness by his private secretary, and Mr. Lingen did not in any way bring objectionable passages to witness's notice, *ib.* 765-770——Probability that witness would have sent back reports containing statements of the opinions of others unfavourable to the department, *ib.* 771-779——Limited communication between Mr. Lingen and witness about objectionable passages in the reports further adverted to, *ib.* 780-783——Irregularity if any report had been sent back to an Inspector on Mr. Lingen's suggestion only, *ib.* 784. 787.

Reference by the Committee to the Minute of 31 January 1861, on the subject of the revision of the reports by the Inspectors themselves, *Rep.* iv——Discontinuance by Mr. Lowe, in 1859, of the practice of striking out passages from the reports, *ib.*——System of the department in carrying out the revision, during the tenure of office respectively of Mr. Adderley and Mr. Lowe, *ib.* iv, v.

Conclusion of the Committee that the supervision exercised in objecting to the insertion of irrelevant matter, of mere dissertation, and of controversial argument, is consistent with the powers of the Committee of Council, and has on the whole been exercised fairly and without excessive strictness, *Rep.* v.

The Committee consider that the censorship exercised over the Inspectors' reports as to the insertion of argumentative or irrelevant matter, is essential to the effectual working of the department so long as it retains its present constitution and functions, *Rep.* vi.

Total of ten reports which have been sent back to the Inspectors under the Minute of 1861, and have been returned to the office with alterations, and so printed, *Rep.* vi.

See also *Adderley, Right Hon. Mr. Coventry, &c. Examiners. Instructions to Inspectors. Jones, The Rev. H. Longueville. Length of Reports. Marking the Reports. Minute or Instruction of January* 1861. *Mutilation of Reports. Revised Code. Tabulated or Special Reports. Treasury Commission of* 1853. *Withheld or Suppressed Reports.*

Suppressed Reports. See *Withheld or Suppressed Reports.*

Report, 1864—*continued.*

T.

Tabulated or Special Reports (Individual Schools) Explanation as to the Inspectors' reports on individual schools not being now printed or submitted to Parliament, *Lingen* 7, 8——Refusal by the Treasury about two years ago to continue the expense of printing the tabulated reports, *ib.* 8——Explanation of the practice in regard to the alterations repeatedly required by the department in the tabulated reports upon individual schools; that is, with respect to the portions forwarded to the managers of the schools, *ib.* 132 *et seq.*——The supervision is essential on financial grounds, *ib.* 133. 147.

Statement in defence of the issue of the altered reports to the managers of the schools, as containing the views of the inspectors, notwithstanding that alterations have been introduced in them by witness, *Lingen* 137–148——Dissatisfaction felt with a former practice of communicating the Inspectors' reports to the managers, without alteration, but with the explanation that the Committee of Council did not agree with it, *ib.* 148——Details as to the supervision exercised over those reports by means of the examiners in the department, *ib.* 156. 623–638. 641——The minute of 1861 did not apply at all to these reports, *ib.* 158, 159.

Further explanation of the practice at different periods in regard to communicating the individual reports to the schools, *Lingen* 187, 188——Several official documents submitted (*App.* 30 *et seq.*), and further information supplied with reference to the reports on individual schools, *ib.* 206–232.

Reference to some instructions issued to the inspectors in December 1843, as laying down the distinction between special and general reports, and as providing that the former must be subject to the approval of the Lord President, *Lingen* 212–216——Final decision not to print the individual reports further adverted to, *ib.* 223–229.

Deception of the managers of the schools, whilst the inspectors are placed in a false position, through the alterations required by the department in the original views of the latter, *Morell* 566–571——Impropriety of the practice of sending to the schools an office summary of portions of the report, instead of a summary of the whole observations of the inspectors in their own words, *ib.* 572–574.

Belief as to witness's special reports being sent to the schools unaltered by the department; form of sending the summary of each report to the managers adverted to hereon, *Arnold* 594–600——The individual reports have never been brought before witness, *Right Hon. R. Lowe* 698.

Summary prepared by Mr. Lingen of the course pursued in regard to the tabulated reports, *App.* 30——Circular letter of 22 May 1862 to the effect that the printing of the tabulated reports will be discontinued, *ib.* 46——Treasury Minutes at various periods upon the subject of the expense of printing and distributing the inspectors' reports, and laying down restrictions in the matter, *ib.* 47, 48.

Letter from the main body of the inspectors, dated 26 June 1858, to the Committee of Council, urging a reconsideration of the Secretary's letter of 22 May 1858, *App.* 49, 50.

Communications between the Committee of Council and the Treasury in July, August, and September 1861, upon the question of a limited publication of the tabulated reports; decision by the Treasury to discontinue the printing, *App.* 59–62.

Reference by the Committee to the final discontinuance in 1861 of the separate or tabulated reports, *Rep.* iii——Varying practice in regard to the summary of the tabulated reports, sent to the managers of the schools, *ib.*

See also *Coventry (Report on St. Mary's Schools)*, *Examiners.* *Grants to Schools.* *Marking the Reports.* *Revised Code.* *Supervision or Revision of Reports.* *Woodward, Dr.*

Tilleard, James. (Analysis of his Evidence.)—Has been in the department of the Committee of Council for seventeen years; during six years of the time was a master at Knellar Hall Training School, 477–480——Has been entrusted with the duty of looking over the Inspectors' reports before they were sent to press, with a view to noting anything which appeared contrary to the provisions of the Minute of 1861; 481, 482——Indicated by red ink or red crayon marks in the margin the passages which he considered objectionable, 483——Since the Vice President's Order of 14 February 1862 has never applied any marks, except for the printer, 484–490.

Modes in which, since February 1862, witness has indicated to the Secretary the passages deemed objectionable, 491–493——Absence of communication between witness and the inspectors on the subject of passages objected to, 494. 528——Understanding as to the Minute of 1861 having prohibited all kinds of general discussion on the part of the inspectors, 495–498——Probability that witness would have called the Secretary's

Report, 1864—*continued.*

Tilleard, James. (Analysis of his Evidence)—*continued.*

attention to arguments upon general measures (but not by marking), even though the arguments rested upon facts within the inspector's experience, 498–504.

Statement that the marking was a mere mode of calling attention, and that there was no significance attached to the marks, 501–505——Frequent instances of witness's marks having been overruled, 505, 506——Witness called the attention of the Secretary to passages considered objectionable in the reports for 1863–64, equally with preceding reports; he had nothing whatever to do with the subsequent practice as to the admission or exclusion of such passages, 507–514——Any marks upon Mr. Longueville Jones's report for 1862 were not affixed by witness; reference hereon to a private conversation between Mr. Jones and witness upon the subject of these marks, 515–527.

Tinling, The Rev. Edward Douglas. (Analysis of his Evidence.)—Has been an inspector of schools for more than seventeen years, 661, 662—— Statement as to a report by witness in 1863 having been returned to him for revision, and as to his having communicated privately with Mr. Lingen in order to ascertain the portion objected to, 663–665—— Intimation received by witness from Mr. Lingen that the passage in question was one which referred unfavourably to the withdrawal of the augmentation grants; removal of this by witness, 665–667. 671–673——Frequent confidential communication between Mr. Lingen and witness as inspector; invariable courtesy and kindness experienced from the department, 667–675——Witness has never felt in any way embarrassed in making his reports on account of the supervision exercised, 671, 672.

Tinling, Mr. Statement that in sending to Mr. Tinling the revised proof of his report in 1863 there was no red ink mark made upon it; particular sentence objected to in this report, *Lingen* 287–296——There was no special communication with Mr. Tinling as to the passage to be omitted, *ib.* 289–294.

Explanation that in the case of Mr. Tinling's report for 1862 there was some communication between witness and him as to the particular portion objected to by the department, *Lingen* 605–607——Reference to the proof of this report, as sent back by Mr. Tinling, showing the lines erased, and their unfavourable tendency as regards the Revised Code, *ib.* 608.

General report for the year 1862 by Mr. Tinling upon schools inspected by him in the counties of Cornwall, Devon, Dorset, and Somerset, *App.* 28, 29——Passage omitted from this report as printed, *ib.* 28.

Treasury Commission of 1853. Investigation of the system of the department by Sir Stafford Northcote and Sir Charles Trevelyan in 1853, when they distinctly recognised the necessity of an official check upon the individual reports upon particular schools, *Lingen* 156.

W.

Warburton, The Rev. W., M.A. The report of Mr. Warburton for 1861 was stopped after it was set up in type, and was not presented to Parliament, *Lingen* 40.

General report of Mr. Warburton for the year 1861 on the Church of England schools inspected in the counties of Berks, Hants, and Wilts, and in the Isle of Wight (such report having been withheld from presentation to Parliament), *App.* 1–4.

Watkins, the Rev. Frederick. (Analysis of his Evidence.)—Has been an inspector of schools since April 1844; 367–369——Two reports by witness have been suppressed, the first one having been returned to him with the passages marked, and the second without marks, 370–372——The first report has been destroyed; but the passages objected to and marked had reference to the new code, and were condemnatory of it, 374–380——The second report refused was drawn up by witness with the greater care, because of the rejection of the previous report; probable passage objected to in the second report, 381–387. 406–411——This report faithfully represented witness's opinions so far it went, but it did not represent them completely, 387–391. 410, 411.

Statement as to the report of witness for 1863–64 not having contained any opinions unfavourable to the new code, 392–396—— Character of the statements suppressed in witness's first report that was rejected; question whether facts as well as opinions were not objected to, 397–405. 412–427——Witness has no recollection of his reports having been extensively altered or interfered with by Mr. Adderley in 1858 or 1859; 428–436 ——The report of witness for 1861 would have been published about the time the Revised Code was under discussion in the House of Commons, 437–441.

Watkins, Mr. Circumstance of witness having been of opinion that a certain report of Mr. Watkins' should be printed, whilst the Vice President took a contrary view, *Lingen* 268–270.

Report, 1864—*continued.*

Watkins, Mr.—continued.

Copy of the general report of Mr. Watkins for the year 1862, on the Church of England schools inspected by him in Yorkshire (such report having been withheld by the Committee of Council), *App.* 15–24.

Letter from Mr. Watkins to the Secretary, dated 8 February 1862, declining to make any change in his manuscript report for 1861, as sent back to him from the department, *App.* 29.

Copy of the general report of Mr. Watkins for the year 1858, showing the passages scored through in the department of the Committee of Council, *App.* 63–71.

Withheld or Suppressed Reports. Mention of the several reports withheld in 1861 and 1862 under the Minute of January 1861, *Lingen* 28–34——Statement that the general ground upon which reports were withheld was the improper introduction of views or arguments upon the policy of the department, *ib.* 40–43——Information as to the several suppressed reports which witness is prepared to supply either in manuscript or in print, *ib.* 64–72——Witness produces certain reports withheld from Parliament for the years 1861 and 1862, *Lingen* 189, 190; and *App.* 1–24.

Two reports by witness have been suppressed, the first one having been returned to him with the passages marked, and the second without marks, *Watkins* 370–372——Suppression of two of witness's reports, only one of which is still in existence, *Arnold* 577–579.

Copies of reports withheld by the Committee of Council, comprising the following general reports: viz., Mr. Warburton's report for 1861, *App.* 1–4; Mr. Arnold's report for 1862, *ib.* 4–6; Mr. Jones's report for 1862, *ib.* 6–9; Mr. Moncreiff's report for 1862, *ib.* 9–15; Mr. Watkins's report for 1862, *ib.* 15–24.

Total of seven reports withheld under the Minute of 1861, *Rep.* vi.

See also *Jones, The Rev. H. Longueville.* *Minute or Instruction of January* 1861. *Moncrieff, The Rev. G. R.* *Publication or Printing of Reports.* *Revised Code.* *Supervision or Revision of Reports.* *Warburton, The Rev. W.*

Woodward, Dr. Information relative to the revision exercised by the department in respect of a report by Dr. Woodward upon a certain school in Scotland, *Lingen* 620–628. 639–641——Copy of this report, showing the portion not sent by the Committee of Council to the managers of the school, *App.* 74.

INDEX

TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

EDUCATION
(INSPECTORS' REPORTS).

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1864.

468—I.

Under 2 *oz*

REPORT

FROM THE

SELECT COMMITTEE

ON

POOR RELIEF;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

AN APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
31 *May* 1864.

Veneris, 19° *die Februarii*, 1864.

Ordered, That a Select Committee be appointed to inquire into the administration of the Relief of the Poor under the Orders, Rules and Regulations issued by the Poor Law Commissioners and the Poor Law Board, pursuant to the provisions of the Poor Law Amendment Act, and into the operation of the Laws relating to the Relief of the Poor.

Mercurii, 24° *die Februarii*, 1864.

Ordered, That the Select Committee on Poor Relief do consist of Twenty-one Members.

Committee nominated of—

Mr. Villiers.
Sir John Acton.
Mr. Bazley.
Mr. Edward Bouverie.
Sir George Bowyer.
Mr. Caird.
Lord Robert Cecil.
Lord Fermoy.
Lord Edward Howard.
Sir William Jolliffe.
Mr. Locke.
Mr. Lowe.
Mr. Lyall.
Mr. Kekewich.
Mr. Neate.
Colonel Pennant.
Mr. Alderman Sidney.
Mr. J. Tollemache.
Mr. Walpole.

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Ordered, That Five be the Quorum of the Committee.

Lunæ, 29° *die Februarii*, 1864.

Ordered, That Mr. Buller be added to the Committee.

Mercurii, 2° *die Martii*, 1864.

Ordered, That Sir William Miles be added to the Committee.

Mercurii, 9° *die Martii*, 1864.

Ordered, That the Select Committee on Poor Relief do consist of Twenty-two Members.

Ordered, That Mr. Ayrton be added to the Committee.

Ordered, That the Petition of the Guardians of the Poor of Oxford, for Amendment of the Law relating to the Education of Pauper Children, be referred to the Committee.

Martis, 15° *die Martii*, 1864.

Ordered, That the Petition of the Overseers of the Poor of the Parish of Saint Leonard, Shoreditch, for alteration of the Poor Law, be referred to the Committee.

Jovis, 7° *die Aprilis*, 1864.

Ordered, That the Petition of the Vestry of Saint George the Martyr, Southwark, for an equalization of the burden of maintaining the Poor of the Country, be referred to the Committee.

Martis, 31° *die Maii*, 1864.

Ordered, That the Committee have Power to Report their opinions and Observations, together with an Appendix, to The House.

REPORT - - - - - - - - - - - - - p. 3
PROCEEDINGS OF THE COMMITTEE - - - - - - p. 49
APPENDIX - - - - - - - - - - - - - p. 91

REPORT.

THE SELECT COMMITTEE appointed to inquire into the Administration of the Relief of the Poor, under the Orders, Rules, and Regulations issued by the Poor Law Commissioners and the Poor Law Board, pursuant to the Provisions of the Poor Law Amendment Acts, and into the Operation of the Laws relating to the Relief of the Poor;——Have considered the matters to them referred, and agreed to the following REPORT:—

Metropolitan Distress in 1860 and 1861.

The few weeks of unusually severe weather which preceded the first meeting of Your Committee on the 1st of March 1861, had deprived large numbers of persons in the Metropolis of their usual employment, and had, in several parts of it, occasioned a considerable amount of distress. Nearly the whole of the labourers in and about the London Docks, and along the banks of the river, were thrown out of work by the severe frost which set in on the 17th of December, and, with two slight intermissions, lasted until the 19th of January: and their numbers were largely increased by the necessary cessation of all market-garden operations around the Metropolis. For the relief of the persons thus deprived of their ordinary means of support, considerable sums of money, voluntarily contributed, were placed at the disposal of the police magistrates, and of the clergymen and others, in the several localities in which the distress existed. It appeared to have been generally assumed that the machinery of the Poor Law was inadequate to meet the prevailing distress; and that not only the rules and regulations under which parochial and union relief was administered required to be modified, but that the funds placed at the disposal of the guardians were insufficient for such an emergency. Several public writers and speakers alleged that the Poor Law had "broken down," and, on the assembling of Your Committee, we found that such an impression very generally prevailed. Your Committee, under these circumstances, deemed it expedient, in the first instance, to inquire into the then recent metropolitan distress, with the view of ascertaining how far the law, in its ordinary mode of operation, was able to bear the strain of such an emergency. Although it was sufficiently clear that the localities of the distress were chiefly parts of the City of London, Bethnal Green, Lambeth, Greenwich, and Poplar, Your Committee had considerable difficulty in obtaining any authentic evidence as to either its extent or intensity. The statistics of pauperism enable Your Committee to state with accuracy the numbers chargeable in each week, and the amount expended for their relief. But the numbers relieved through the agency of police magistrates, or of voluntary committees, can only be vaguely conjectured. The amount of money distributed may be stated with tolerable precision.

It appears that the average pauperism of the Metropolis is 96,752. The addition to this number, during the five weeks of the frost, was,— Evidence 3040. 3039.

1st week	- - - - - -	6,648
2d „	- - - - - -	14,735
3d „	- - - - - -	31,567
4th „	- - - - - -	38,637
5th „	- - - - - -	28,664

For the five weeks, therefore, the pauperism was raised from the average of 96,752 to 135,389.

Of the numbers relieved by voluntary agency no statements were presented to Your Committee, nor indeed do the accounts of the numbers appear to have been kept either by the magistrates or by the local committee who were the agents of distribution. It is not possible to approximate with any degree of accuracy the numbers relieved by voluntary agency.

4. Still less is it possible to estimate satisfactorily the character of the distress that was actually relieved. By far the greater number of cases were relieved without any investigation into the circumstances, and in those cases in which inquiry is alleged to have been made it was not of such a nature as to elicit the facts of the actual condition of the applicants. Mr. Farnall, the Poor Law
3062. Inspector of the metropolitan district, was of opinion that the distress "scarcely ought to bear the name of a crisis." And he supported this opinion by the striking statement that relief, subject to the usual conditions, was offered to
3099. 15,463 men, of whom "1,003 came into the workhouse, and 4,230 accepted "the stone yard out of the whole 15,463, therefore there were only 5,233 who "accepted the test at all;" and he added, "The rest were never heard of "again."

A different estimate of the nature of the emergency was, however, formed by other witnesses. Mr. Southgate, Chairman of the Board of Guardians of Shoreditch, speaks of it as having been a time of "extraordinary pressure."
944. Mr. Yardley, the police magistrate, designates it as "an extreme case of distress."
2217. Mr. Bromley states that a single Refuge was called upon to relieve 14,000 cases
2397. during the winter. Mr. Howard, Chairman of the Bethnal-green Board of Guar-
2625. dians, is of opinion that but for charitable subscriptions "there would have been a "fearful loss of life from starvation." The Rev. Mr. M'Gill, speaking from his
3208. own observation, describes the period as one of "unparalleled misery." The Rev.
3484. C. H. Carr, of St. John's Church, Limehouse, states that there was an entire ces-
3940. 4036. sation of work for almost the whole of his population. Mr. Selfe, the police magistrate, describes the period as one of "extreme distress;" and adds, "I think "the distress was terrible; the amount to which the pawn-shops were filled with "the absolute necessaries of the home, as it is called, and the way in which it was "stripped to support bare life, was terrible." The language of Mr. Knox, the
4126. police magistrate, at Worship-street, is still more emphatic: "As we walked "round to visit the district, I certainly saw sights of the most extreme and awful "misery; there was no doubt about it; their articles of furniture were gone "from the house; the frame of a bedstead would be remaining, and the sacking "gone; there were a man and his wife and six children lying upon shavings in "the room; they would show you a bundle of pawn-tickets, with nothing re-"maining in the room; and I beheld sights such as you would not suppose it "possible to witness in London."

The mode in which the relief of this distress, whatever may have been its extent and character, was provided for, was, firstly, through the usual agency of Boards of Guardians, and, secondly, through voluntary contributions administered by the police magistrates, and by various benevolent societies.

There can be no doubt that the machinery of Poor Law administration was adequate to the occasion, and that the guardians possessed the requisite powers for raising the funds necessary for the relief of the distress. The administrators of the law were not hampered by the rules or regulations of the Central Board, and the clerks and chairmen of the several unions, and the Poor Law Inspector of the metropolitan district, expressed strongly their opinions that the whole of the distress which existed during the period of the frost could have been provided for through the agency of the Boards of Guardians. Mr. Bowring, clerk to the City of London Union, and a gentleman of great experience, "had not the slightest doubt that the 5,000 persons "who were relieved at the Mansion House and the Guildhall could have been
316, 317. "relieved by the City Union." Mr. Richard Cobbett, who has been chairman of the Board of Guardians of the parish of St. Martin-in-the-Fields
415. for 21 years, having been asked "If there had been a great number of persons "applying to you for relief, would you have considered that the parish was "incapable of giving the relief?" replied, "I should have considered that our "parish was quite equal to meet the relief." "If the pressure had been very "great, the probability is that about Christmas we should have been compelled

"to

"to increase the rate." "There would have been no difficulty whatever in "getting the rate." Mr. Alderman Sheriff Abbiss, who has been for several years chairman of the City of London Union, "entirely concurred in the "opinion of Mr. Bowring, that there were ample means of supplying any "number of applications for relief, and that there was neither any difficulty in "making a rate or collecting a rate, nor in finding agents or relieving officers "to distribute it, supposing that an extraordinary number of applications had "been made." "All the applications that were made to the City of London "Union were relieved, and we found no difficulty whatever; and I believe that "there would have been no difficulty in relieving the whole number who applied "at the different police offices." Mr. G. A. Farr, clerk to the guardians of the Whitechapel Union, who has been connected with union and parochial administration for upwards of 20 years, informed Your Committee, that although there was a vast increase in the number of cases relieved, being in the fourth week of the Lady-day quarter, 2,862 above the average, yet the guardians "found no difficulty at all in meeting this exigency." Mr. W. Southgate, chairman of the Board of Guardians of Shoreditch, was "confident that the "guardians could have relieved all that came to them." "The Poor Law "Board do not interfere with us in giving relief; as to distribution of relief, we "have nothing to complain of." "I think if they had not got anything from "Worship-street (police office), the poor would have been attended to (by the "guardians), but of course they would not have got the amount of relief which they "got there." Mr. S. R. Stockton, one of the directors of the poor of the parish of St. Pancras, stated that the directors "had not the least difficulty in relieving the "applications that were made to them; their machinery was complete:" "they "had relieving officers enough;" they "could have relieved in a humane and "adequate manner the whole number applying." They "did not require the "assistance of the voluntary subscriptions of benevolent people." "The Poor "Law did not break down in our parish." "The Poor Law Board did not in "any way interfere with us during the late distress; we got on very well; "the machinery was in good order, and I am of opinion that we worked it "satisfactorily." Mr. William Turner, one of the directors of the Poor of St. Pancras, was decidedly of opinion "that the arrangements were sufficient to "relieve the poor under the Poor Law, without the poor resorting to private "charity." Mr. Edward Collinson, Chairman of the Board of Guardians of St. George the Martyr, stated that the guardians "had a great many applica-"tions during the frost, but they did not find any difficulty in providing for "their relief." "There was decidedly no occasion for the indiscriminate "relief" given at the police offices; had it been necessary the parish "could "have relieved as many again." Mr. Legg, Chairman of the Board of Guardians of the parish of Bermondsey, detailed the extent of distress and the mode of relieving it, and stated that in that parish there was no "breakdown "of the Poor Law; we could have done more if there had been any necessity "for it." It appeared to Your Committee that as a general rule the guardians of the several unions and parishes felt that very little restraint, if any, was imposed upon them by any rule or regulation of the Poor Law Board. During this emergency, relief appears to have been administered by these bodies very much at their own discretion. Although the order known as the "prohibitory "order" is not in force in the Metropolis, yet the guardians felt that as a protection against imposture it was necessary, in the cases of able-bodied men, to enforce the test of the workhouse. Some evidence was offered to Your Committee that this operated virtually as a refusal of relief, so great was the reluctance of the poor to accept relief in this form. Mr. William Howard, Chairman of the Board of Guardians of Bethnal Green parish, was of opinion that so great was the reluctance of the poor to enter into the workhouse, that if they had not been relieved by voluntary contributions "there would "have been a fearful loss of life through starvation." Where the workhouse was not applied, some other test, such as stone-breaking, or oakum-picking, appears to have been generally adopted. It appeared, however, that a very small proportion of the applicants to whom relief under this test was offered, accepted it. In St. Pancras, for example, of 700 people to whom relief under the test was offered, 400 refused it. Although some witnesses expressed an opinion that this reluctance to accept relief upon such conditions showed that the test was applied with harshness, yet a very considerable

416. 417. 483. 484. 712. 995. 1005. 1020. 1126-28. 1154. 1155. 1157. 1345. 1423. 1485. 2451. 2464, 5, 6. 2568.

considerable amount of evidence went to prove that it arose from the great facility with which the relief voluntarily contributed could be obtained. The indiscriminate way in which these contributions were distributed, and the want of concert and organization in the arrangements for the distribution, may be seen from the evidence of the Metropolitan police magistrates.

3911. Mr. Henry S. Selfe, magistrate of the Thames police court, stated that his colleague and himself differed so much as to the expediency of receiving the sums subscribed, and as to the mode in which they should be distributed, that they agreed to divide the joint fund, and act independently of one another in distributing it. The total amount sent to the court was about 4,000*l.*, and of the 2,000*l.* that he received he had disposed of 1,600*l.*; 400*l.* was distributed by himself, *propriâ manu*, and the remaining 1,200*l.* was given to persons who undertook to furnish him with the particulars of the mode in which it was distributed. There was a considerable balance in hand. He gave no money where he had not the pledged word of some one known to himself that the applicant was worthy of relief. The persons who were relieved by him were almost exclusively persons of good character, and the greater part of them had never received parish relief. The persons who signed the papers recommending applicants for relief were clergymen, district visitors, Roman Catholic priests, and others residing in the district. Although the distress was so great, during the whole period that he had been a magistrate crime was never less; he accounted for it by supposing that the poor having a knowledge that so much was being done for them to alleviate their distress, abstained from the commission of crime. He would not himself discourage the receipt of money at the police courts in times of great distress. The distribution of relief, he was bound to say, was foreign to the duties of the magistrates; but he did not think it interfered with the performance of them. He considered it necessary as a condition for relief that a test of work or strict inquiry should be applied. If there were no discrimination as to relief, and undeserving persons were relieved, it doubtless tended to demoralize those who were struggling to be independent. He had no communication with the guardians during the pressure. He believed them to be humane, and to have a desire to perform their duty; and in the main he was disposed to agree with

3957. Mr. Yardley, that there was hardly a complaint against a parochial authority which was not found to be groundless. As a whole, the officers, in his judgment, discharged their duties well and efficiently. At the same time, there were a number of cases which the Poor Law never could touch; and he did not conceive it possible that a thoroughly official system, paid for by compulsory contributions, could be without some kind of hardship to the poor. The workhouse test, or the labour test, which no doubt was properly applied in the case of the sturdy vagrant or the idle, was wholly unfit, in his judgment, to be applied to a vast number of those who were destitute. In the eastern district of the Metropolis there were numbers of the most deserving poor who would never go near the poorhouse; they would sooner die. He was anxious, therefore, that nothing should be done to interfere with those who were willing to do what they could in a subsidiary way, by relieving distress which the Poor Law could not touch. No system of Poor Law relief, if devised by angels, inasmuch as it would have to be administered by men, could ever prevent the necessity for voluntary exertion, and the more of the latter the better, provided that it was conducted wisely. He considered that it was not desirable that the police magistrates should themselves distribute the contributions, but they had means which those who contributed the funds had not, of knowing trustworthy channels through which it might be distributed. Three-fourths of the sums entrusted to him were distributed by the clergymen of the Established Church, dissenting ministers of different denominations, Roman Catholic priests, district visitors, and medical men. No Poor Law on earth could have removed the necessity for charity during the pressure. He had heard persons, whose opinions were entitled to respect, say that the distribution had a very beneficial effect, not only as to general feeling among the poor, but actually in preventing bread riots. At a recent meeting of the police magistrates, Mr. Hall, the chief magistrate, made a communication from the Home Office. He intimated that it was thought inexpedient to make the police courts places where crowds should assemble, and that it was desirable to check that mode of relief. It was then attempted to lay down rules as to how relief should be administered

for

for the future; but a proposal to that effect was negatived by a large majority. It was then unanimously resolved that the magistrates should endeavour to give effect to the views expressed by the authority by which they were bound.

Your Committee also examined Mr. Yardley, who said that he was the magistrate at the Thames police court during the severe part of the same winter, and that his district included the Stepney and Poplar Unions and part of the Whitechapel Union. A very large sum was contributed to the poor-box of the court. The money was distributed among the dock labourers and those who were employed in casual work generally about the banks of the river and the wharves. In such a winter as the last it was impossible to carry out inquiries into the character or circumstances of applicants, and, in fact, it was not attempted. The course adopted was this: there was generally a large number of persons, sometimes about 2,000, collected around the court. Between the court and the police-station was a large open space, to which, at a certain hour, the persons were admitted; and after having been kept there for two or three hours, they passed as quickly as possible through a passage leading by the side of the court, whilst officers stationed there distributed silver to each one as he passed. As much as 120 *l.* was given away in silver in one day, but the amount ordinarily given was 80 *l.* or 90 *l.* a day. Generally speaking, a question or two was asked, and the hands of the people were looked at, to ascertain whether their calling was that of extreme hard work. This was the only test that they could apply. He had all along been of opinion that police magistrates were very improper persons to distribute funds in the way in which they were called upon to distribute them during the pressure: it was impossible that they could use that discretion which was desirable. He had no reason to suppose that there was any neglect whatever on the part of the relieving officers in the district. During the 14 years that he had been at the court, not a day passed but some complaint was made to him against a relieving officer. He always investigated those complaints, and invariably found that they were groundless. He had no reason to believe that there was either inability or unwillingness on the part of the relieving officers, on the occasion of the frost, to distribute the relief which they were bound to give to the poor. On the contrary, he had always seen the greatest good-feeling and zeal evinced by them. He did not suppose that any of the persons who applied to him for relief would have been refused parochial relief had they gone to the relieving officers. He felt that the relief afforded by the parish might be sufficient to keep body and soul together, and prevent extreme distress, but that it was not sufficient to keep a working man in that condition in which he should be when he returned to hard work. He did not communicate with the parish authorities on the subject of the funds at his disposal. He considered that they should be administered quite independently of parochial relief, and that the money distributed should be in addition to the parish allowance. The best mode of administering relief was, as a general rule, the giving of money. If a person were relieved in kind, and were inclined to be improvident, he would take the articles and sell them for an inadequate value. He was sorry to say that he had heard, and he had reason to believe it, that there was a particular public-house in his district where any amount of bread could have been obtained at 4 *d.* per quartern-loaf; in fact, the bread which was given in relief was taken there and exchanged for beer, and then sold by the publican at a reduced rate. He was well aware that there were flocks of people going about the streets crying that they were snowed out; many of them, no doubt, were gross impostors. If they had presented themselves to him and had the appearance of hardworking men, he had no doubt but that he should have relieved them. The amount sent to the Thames Police Court for distribution during the pressure was 4,000 *l.*, a sum equal to that which had been sent during the eight preceding years. He had refused considerable sums of money, and had returned as much as he possibly could. He was afraid that the public, in consequence of recent exposures, had felt some doubt and hesitation about relying upon charitable institutions. People were eager to apply their money to the relief of distress, and went to the magistrates for want of, as they considered, better means. There were, no doubt, charitable institutions in every district in the Metropolis which could apply the funds better than the magistrates, as they would have better means of ascertaining, by personal

2177. to 2395.

acquaintance with them, the proper objects. He was aware that it had been stated in some of the public prints that the Poor Law, as it was in operation in the Metropolis, was inadequate to the relief of the destitute; but that was not his own opinion. In his district relief was distributed to a sufficient amount to prevent extreme distress. He considered it a wise arrangement that out-door relief should be so administered as that the person receiving it should be stimulated to maintain himself. Indiscriminate distribution of bounty had a demoralizing effect upon the poor struggling to be independent. He thought, however, that the amount of money sent for distribution upon charitable objects during the winter did infinitely more good than harm.

2834 to 2898. Your Committee also examined Mr. Thomas Paynter, the magistrate at the Westminster Police Court, who stated to Your Committee that during the severe weather in the past winter, 811 *l.* was distributed from the poor-box at the police-court. The amount was contributed, apparently, under the impression that the magistrates would be able to distinguish the cases deserving of relief. As they are termed "police magistrates," it was supposed that they had control over the police and could employ them to investigate cases. This, however, was an entire mistake. They have no more connexion with and no more control over the police than they have over the Life Guards or the Officers of the House of Commons. The magistrates, who are merely judicial officers, can only act within the walls of their court, and know nothing of the district around them. At the time of the pressure, Sir Richard Mayne kindly allowed the assistance of one or two officers. The course adopted at the police-court with reference to the distribution of relief was to issue cards, to be filled up with the name of the person applying for aid, the cause of his distress, the number of his family, and the name of the person recommending him. The magistrate, when the card was returned, gave directions as to what amount should be given in the case. The person recommending, however, was frequently as much unknown as the applicant. The district visitors, often inexperienced persons, were too good-natured, and too frequently did not inquire sufficiently before giving recommendations. They would listen to the tales of persons who alleged that they were in distress, whilst in some instances they were at the time in work. A district visitor sent to the police-court applications for the whole of the occupiers of a street and a small square, and when inquiry was made, she said that she really could not refuse the applicants—they all seemed in want. The arrangements which were made to some extent remedied the evil of indiscriminate distribution, but only partially. He would be glad to think that one-half of the money distributed was really well and properly applied. That character of relief was decidedly calculated to encourage imposture and pauperism, and its tendency was, and its conclusion would be, to make a large portion of the labouring classes of London a mob of mendicants. At the time of the pressure, all those evils which led to the passing of the Poor Law Amendment Act were rife. There were cases where men applied at the Westminster Police Court in the morning, and then went and obtained relief at the Thames Police Court; and there were cases of personation and positive fraud in obtaining cards and presenting them at the court. At Westminster they were quite resolved that they would not again undertake any such task of distributing relief. The classes from whom the greatest number of applications came were the bricklayers and brickmakers, and the navvies, probably three classes (two at least) who made higher wages than any others in London. Orders had been made at the court for the wages of navvies as high as 7 *s.* 6 *d.* per day. He did not imagine that the applications at the workhouse became so numerous as would otherwise have been the case, because the persons found it much easier to obtain 7 *s.* or 10 *s.* from the magistrates, and a test of work and very strict inquiry were avoided. Numbers of complaints had been made at the court by persons, that they could not obtain relief from the parish; but, upon inquiry, they had almost always turned out to be ill-founded. The persons complaining had been almost invariably offered the workhouse at least. There were, however, considerable numbers and classes of persons in London requiring assistance, whom the Poor Law did not, and whom perhaps no poor-law could, relieve. His impression was that a general law could not undertake to do more than to meet cases of extreme destitution. He should say that benevolence was extended as far as could

could be wished for the class of persons who would not be relieved by the Poor Law.

Your Committee also examined Mr. Andrew S. Knox, magistrate at the Worship-street Police Court, whose district comprised Spitalfields, Bethnal-green, Shoreditch, and part of Whitechapel, where there was great distress during the same winter. A sum of about 2,500*l.* was forwarded to him for distribution. He proceeded upon the system of house-to-house visitation. About 700*l.* or 800*l.* was disposed of from the court, and the rest was entrusted in the main to clergymen of all denominations. He had no reason whatever to complain of the Poor Law authorities in the district; every recommendation which he made to them was inquired into and attended to; and from daily personal contact with those gentlemen, he believed them to be men of discretion and humanity. At the same time, he was bound to say that he was an eyewitness of frightful misery in the district; but he believed that neither the Poor Law, nor any poor-law that could be devised, would touch that misery. Large numbers in extreme destitution made no application to the authorities. There seemed to be a perfect horror amongst the people of applying for parochial assistance, and this might arise, as he believed, from a feeling of independence which exists among the people to a very high degree, even in the midst of their misery; but in some cases of sickness, he attributes the absence of application for relief to the state of half stupor in which they were lying. He would deplore any disarrangement of the general principle of the Poor Law of 1834 as a national calamity. If during the crisis the guardians had the power of administering relief at their discretion, everything was done that the Legislature of the country could do. Whilst, however, the integrity of the system of the Poor Law should be maintained, it would be a thousand pities if, in centres of misery such as Spitalfields and Bethnal-green, the charity of the public were interfered with; he did not mean the pouring in of permanent charity, but the affording assistance sufficient to keep body and soul together during a crisis like that which was past.

4115. to 4184.

4130.

4131.

4182.

Although the inquiries of Your Committee were directed to ascertain whether the machinery of the Poor Law had been found to be inadequate to relieve the exceptional distress of January 1861, a good deal of evidence was incidentally given as to the effect of the voluntary efforts which were made to supply the assumed insufficiency of the administration by Boards of Guardians. Almost all the witnesses who were examined concurred in thinking, that a great deal of absolute distress was relieved, which otherwise might not have been relieved, but they thought that a large proportion of the charitable funds was wasted upon undeserving objects. It is evident to Your Committee that the inevitable tendency of such efforts to supply the supposed defects of Poor Law administration by voluntary agency, unless accompanied by a most careful organization with adequate supervision, is to encourage imposture; and Your Committee are of opinion that this organization might be suitably supplied if the example which has been lately set in Lancashire were, in cases of similar emergency, to be followed in the metropolis. A relief committee, headed and practically worked by persons sufficiently eminent to inspire general confidence, would draw to itself the funds which the liberality of the public is always ready to supply, and would be able in a greater degree to discriminate between deserving and undeserving objects.

The evidence leaves no reason to doubt that the Guardians could have raised the funds which would have been required, if the relief of the whole of the distress had been cast upon them, but it must be borne in mind that the chief portion of the destitution was confined to those districts of the Metropolis which are always most heavily burthened with the poor. In some of the eastern parishes, where there is always a large class wavering between the condition of rate-payers and that of paupers, considerable difficulty is experienced in ordinary times in obtaining payment of the rates; and Mr. John Day assistant overseer and vestry clerk of St. George's, Southwark, stated that in that parish "the number of summonses for poor-rates made out each quarter is "from 1,200 to 1,500."

It is obvious, therefore, that the additional charge upon the pauperised parishes would have sensibly increased the difficulties of the ratepayers.

7580.

The resolution at which your Committee arrive upon a consideration of the whole of the evidence submitted to them upon this branch of the inquiry, is—

That with respect to the extraordinary prevalence of distress in the metropolis in the winter of 1860-61, to which the attention of Your Committee was particularly directed, they received strong evidence that such distress could have been relieved by the Poor Law authorities, inasmuch as the legal machinery of administration was sufficient, and the Guardians possessed the requisite powers for raising the necessary funds for the purpose; but the legal charge would have pressed very heavily on some parishes within the metropolis.

The regular action, however, of the Poor Law was, to a considerable extent, rendered unnecessary by voluntary contributions; and however desirable it is that in great emergencies destitution should be relieved by spontaneous charity, Your Committee find that on the occasion in question evils resulted from the want of a sufficient organization for the investigation of the cases of the persons relieved.

Petitions referred to the Committee.

Your Committee then proceeded to consider the allegations contained in the petitions which had been presented to the House of Commons, and referred to Your Committee, against the continuance of the powers and authority exercised by the Poor Law Board. It appeared on reference to the petitions, that they very nearly all contained the same allegations, suggested the same alterations of the law, and ended with the same prayer. Mr. Henry Potter, late vice-chairman of the Board of Guardians of the West London Union, gave Your Committee the following history of the manner in which several of the petitions in question originated:—

4681-4758. The guardians of the West London Union, on receipt of the order of the 23d of August 1859, with reference to the religious instruction of orphans in workhouses, resolved that the workhouse officers should be directed not to carry its provisions into effect, and that the guardians should co-operate with any other union seeking the repeal or withdrawal of the order. The guardians considered that the order called upon them to appoint a priest for the instruction of the Roman Catholic children. They had a conference with the guardians of the Wandsworth and Clapham Union, and at the interview it was agreed that the Protestant Alliance should be requested to convene a meeting of metropolitan guardians, to consider the course to be taken in the matter. A meeting was called by the Protestant Alliance, and a committee was then appointed, to arrange for a meeting of the guardians of the several unions in the kingdom. This meeting was held at Radley's Hotel, and nearly or quite a hundred guardians were present. Forty unions were represented, and 12 others gave their concurrence. A resolution was passed appointing a committee to seek the withdrawal of the order of the 23d of August 1859, and to watch the Poor Law Board Continuance Bill, and to seek a modification of the powers of the Poor Law Board. He was appointed one of the honorary secretaries of the committee. A circular letter urging Boards of Guardians to memorialize against the renewal of the powers of the Board and a form of petition were sent to all the Boards of Guardians. The circular was not discussed at the meeting: it was drawn up subsequently by the committee. The members of the committee were summoned to attend the meeting at which the circular letter was framed, but they were not all present. There were 18 members of the committee. He could not say from memory, but he thought six attended. The names of all the committee are attached to the circular. They inferred that the whole body concurred, as they did not hear that any one objected. In consequence of the circular a large number of petitions were presented.

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In support of the petitions, Your Committee examined several witnesses, and amongst them, the chairmen, vice-chairmen, and clerks of the unions from which the petitions had emanated. It was clear to Your Committee, that in the great majority of cases the petitions had been adopted and presented to Parliament without deliberation, and without any clearly-defined views as to the limitation of the powers of the Poor Law Board. The chief points embraced by the petitions were, that the guardians should be invested with greater discretion in the administration of out-door relief, that the power possessed by the Poor Law Board to issue General Orders should be restricted, and that the guardians should have uncontrolled power of appointing and dismissing the officers of the union. Other matters were strongly pressed upon the notice of Your Committee, to which Your Committee will hereafter refer.

Continuance of a Central Authority.

Your Committee then proceeded to examine several witnesses upon the subject of the expediency of the continuance of the central authority. The witnesses consisted principally of chairmen and vice-chairmen of Boards of Guardians, and of clerks to Poor Law Unions. Your Committee found that the concurrence of opinion in favour of the existence and continuance of a central Board was almost unanimous. Mr. Adamson, clerk to the guardians of the Salford Union, says, "I am satisfied that without a central authority abuses "would creep in in the administration of the law, as they did before the passing "of the Poor Law Amendment Act." 495.

Mr. Whitworth, clerk to the guardians of the Barton-upon-Irwell Union, "is decidedly in favour of a central control over the entire machinery and "operations and payments of the Poor Law officers and Boards of Guardians." 1222.
Mr. Crawshaw, chairman of the guardians of the Sheffield Union, states, "The "guardians are of opinion that the Poor Law Board ought to continue to "exist." 2917.
Lord George Cavendish, chairman of the Board of Guardians of the "Bakewell Union, thinks that "there is great advantage derived from the "general supervision of the Poor Law Board, and from the periodical visits of "the inspector." "Without them," he says, "I think we should get into a "very great mess. I frequently find that it is rather a relief to the guardians "if there is anything unpleasant to do, to beg that it may be referred to the "Central Board for their opinion. If anything, they are apt to throw a little "too much responsibility off their own shoulders, and put it on to the Poor "Law Board." 3228.
Mr. Bowring, clerk to the Guardians of the City of London Union, states, "I do not think that there is any person in the kingdom, "knowing anything about the administration of the Poor Law, who would "dispense with the Poor Law Board. If the central authority were dispensed "with, you would come back to the state of anarchy and confusion which "existed previous to 1832 and 1833; and I am afraid that it would be even "worse, for you would have Boards of Guardians with large funds, instead of "churchwardens and overseers with small funds. I think it would conform "with the opinion of the country generally if a proposition were made to make "the Board a permanent establishment." 9086.

Two witnesses, viz., Mr. W. Turner, whose evidence has already been referred to, and Mr. R. E. Warwick, Deputy Chairman of the City of London Union, were of opinion that the Central Board should be entirely abolished; and Mr. W. Horsfall, formerly one of the Manchester Board of Guardians, thought that "the public interest would not suffer by its abolition." But with these exceptions, the evidence upon this branch of the inquiry was unanimous, and the advantages of a central supervision are so obvious, that Your Committee have had no hesitation in adopting the following Resolution, viz.: 6142. 7945. 350.

> That the continuance of a Central Authority is essential for securing the due and uniform administration of the laws for the relief of the poor, and Your Committee are of opinion that it would contribute to its efficiency if it were placed upon a permanent footing.

Power of Poor Law Board to Issue General Orders.

The power to make orders for the management of the poor and administration of the laws for their relief was conferred upon the central authority by the 4 & 5 Will. 4, c. 76, sect. 15; and in exercise of that power they have issued several orders regulating the administration of out-door relief, the chief of which are the order of 21 December 1844, usually known as the Prohibitory Order; and the out-door relief regulation order of the 14th of December 1852. The former of these orders is in force in the agricultural, and the latter in the manufacturing, unions, and each order contains such numerous exceptions as to provide for all cases to which the general rule would be inapplicable. The views of the witnesses as to greater discretion being confided to guardians in granting relief were vague and general, and no cases of hardship or suffering were proved to Your Committee to have resulted from the powers of the guardians being limited as they are at present. It is obvious that if uniformity of principle is to be observed, the administration of relief must be regulated by fixed rules and orders of a general character, and Your Committee do not consider that any advantage could result from confiding any further powers to the guardians in respect to grants of outdoor relief; and being, moreover, of opinion that the authority vested in the Central Board to regulate the administration of the laws for the relief of the poor has been exercised with general advantage, have agreed to the following resolution; viz. :—

That the power of issuing General Orders now possessed by the Poor Law Board is salutary and useful, and should be continued.

Continuance in Office of Paid Officers.

Some difference of opinion was expressed to Your Committee upon the subject of the appointment and removal of Poor Law officers. Those officers are at present selected and appointed by the guardians. When, however, the appointments are made, they are reported to the Poor Law Board for their sanction, and it is also requisite that the Board should approve of the salaries assigned by the guardians to their officers. The power of dismissing an officer once duly appointed and approved resides exclusively in the Poor Law Board, and the 48th section of the Act of 4 & 5 Will. 4, c. 76, prescribes the grounds upon which such dismissal may take place. It was contended by several of the witnesses that the power of dismissal should be transferred from the Poor Law Board to the guardians, and the reason almost invariably assigned in support of this suggestion was that the guardians must necessarily be better judges of the conduct and capacity of their officers than the Poor Law Board can possibly be. The inconvenience which it is alleged results from the Poor Law Board alone possessing the power of dismissal is referred to in the evidence of Mr. Harrop, the clerk to the guardians of the township of Manchester. He said:

1615. "We have frequently had officers who have been very inefficient, in many "instances men who have not been proper officers to retain, and whom the "guardians could not remove, and no cases could ever be established against "them whereby the Poor Law Board would feel justified in removing them."

"If the central Board had known the merits of some of the officers as clearly as "the guardians have done, they would have been able to have formed a different

1617. "opinion from what they can form from any communications that are made on "the subject. It is necessary to see the dealing and working of the officers, to "see the general capacity, intelligence, and the fitness and propriety of an "officer's conduct. There is a great deal to be done in a large establishment; "and so long as things are kept in fair order, you cannot easily prove a servant "an improper person to remain, perhaps, in the estimation of the Poor Law "Board." Mr. Bowring, the clerk to the guardians of the City of London Union, represented the views of those who are opposed to the transfer to the Boards

4465. of Guardians of the power of dismissal. He said, "I think that if the Legis- "lature gave Boards of Guardians power to remove Poor Law officers, there "would be an end at once to the integrity and the proper administration of the

"law

"law with regard to the poor. It is a peculiar law, and the officers are peculiarly placed; they have, on the one hand, the pressure of poverty and destitution in every possible phase, and they have on the other hand the pressure of the contribution to the poor rates by those parties who are not very far from pauperism themselves, and the officer is consequently placed in a very difficult position. If, on the one hand, he were to refuse improperly, he would be dismissed at once for refusal; if, on the other hand, he were to give relief largely, he would then run the risk of being dismissed for being too liberal." "In the case of a complaint against an officer, the Poor Law Board are, from their position, perfectly dispassionate and calm, and uninterested in anything beyond the administration of the law, and they simply adjudicate upon evidence on oath before them." 4616. 4619.

Mr. Streeten, the Auditor of the Accounts of the parish of St. Pancras, has stated from his observation of the working of the Local Act in that parish the general results anticipated by him if Boards of Guardians were entrusted with the powers which in some instances have been claimed. He said, "The vestry under the Local Act appoint all the officers of the directors. The directors may suspend those officers, but the vestry alone have the power of dismissing them, and I believe that that is very pernicious. I consider that there is a want of independence in the officers which is lamentable. I believe that there have been and are still officers in that parish who are afraid to do what they believe to be right, because they are afraid of losing their positions. They must take their directions from these fluctuating bodies, and that, I think, is very pernicious, especially with reference to the officers in the workhouse, because the control and management and treatment of the poor in the workhouse vary very much, according to the party who may happen to be in power." The witness had opportunity of comparing the position of officers in parishes in which the vestry are empowered to dismiss, and in unions in which the Poor Law Board alone have that power, and he considered that the officers in the former case were very much more dependent than in the latter. 7111-2. 7116-8.

The guardians already possess the power of dismissing the inferior officers in their service; and Your Committee do not think it expedient to suggest that such power should be extended to the superior officers, whose duties are prescribed by the general consolidated order. It appears to Your Committee that if the tenure of the office of the latter class of officers was altogether uncontrolled by the central authority, they would not only perform their duties less independently, but would be subject to removal from personal bias, political causes, and various other motives which ought not to be allowed to operate in deciding upon their fitness or unfitness to retain office. Your Committee have, therefore, arrived at the following resolution, viz.:

> That in order to secure the due discharge of their duties by the principal officers of unions and parishes, it is, in the opinion of your Committee, essential that their tenure of office should not be terminable without the concurrence of the Central Authority; and it is not expedient, therefore, that the power which the Guardians already possess of dismissing the subordinate officers should be further extended.

Superannuation of Paid Officers.

Your Committee examined Mr. Bowring, clerk to the guardians of the City of London Union, upon the subject of a superannuation allowance to Poor Law Officers. His statement on behalf of this class of officers was to the following effect:—"Most of the union officers, relieving officers, masters, matrons, porters, nurses, superintendents of labour, and so on, are men and women of intelligence, and taken from the middle classes. They have themselves no property to fall back upon, and must necessarily depend on that which they can earn while in a state of physical and mental ability. They have no means of making a provision from their salaries, because, generally speaking, their salaries are very small. They are, moreover, required to devote their whole time to the service of the guardians. It therefore very often happens, and it has happened in a great many cases within my own experience, that 9021.

"union officers have been transferred from the official staff to the pauper "relief lists." Mr. Bowring proceeded to propose to Your Committee a plan by which, in his opinion, a fund might be raised and maintained for the superannuation of union officers. This plan consisted partly of a compulsory assessment on the ratepayers, and partly of a compulsory deduction from the salaries of the officers themselves. It appears to Your Committee, however, that there would be great, if not insuperable, practical difficulties in the compulsory system of superannuation for this class of officers. Your Committee consider that the ratepayers would object to such an additional burden being imposed upon the rates, and that a large portion of the officers would object to any deduction from their salaries. Under the Lunatic Asylums Act of 1853 (16 & 17 Vict. c. 97), all the officers and servants of an asylum may be superannuated at the cost of the county rate, without reference to any contribution on their part. All that Your Committee feel themselves at liberty upon this subject to recommend, is that a similar permissive power should be given to Boards of Guardians in respect of the superannuation of those union officers who devote their whole time to their duties, as has been conferred by the Lunatic Asylums Acts upon the visitors of such asylums and the justices in quarter sessions. Your Committee have accordingly agreed to the following resolution, viz.:

> That it was shown to Your Committee that inconvenience resulted from the continuance in office of persons, who, by reason of infirmity of body or mind, had become incapable of efficiently discharging their duties, but whose removal had been postponed from personal considerations; and Your Committee, therefore, recommend that a power should be conferred upon Boards of Guardians to provide at their discretion for the superannuation of certain union officers, the exercise of such power to be subject to the control of the Central Authority.

Medical Relief.

Medical relief formed the subject of special inquiry before a Select Committee of the House of Commons in 1854.

That Committee did not recommend that the system of medical relief as administered under the regulations of the Poor Law Board, framed in 1847 (which are still in force) should be changed; but it advised that the Poor Law Board should continue to give their attention to the medical districts, with the view to their reduction when found to be inconveniently large, and to the appointment of additional medical officers in such cases. They also recommended that the salaries, which in some cases appeared to be inadequate, should be revised, and that the officers should hold their offices permanently.

In pursuance of the recommendations of the Committee, the Poor Law Board issued a general order, dated the 15th of February 1855, providing, that in future all medical officers of workhouses possessing the requisite professional qualifications should hold office permanently, and that all district medical officers also, who were fully qualified and resident in their district, should hold office in like manner. This order was not found to give full effect to the recommendations of the Committee, especially with respect to the reduction of the size of the more extensive districts, inasmuch as changes in them, however necessary for the welfare of the poor and the interests of the union, could not be effected if the medical officers, being permanently appointed to their districts, declined to assent to any change. It appeared, therefore, advisable to guard against the inconvenient results which might sometimes arise from the permanency of tenure as conferred by that order upon medical officers; and the Poor Law Board accordingly issued a further general order, dated the 25th of May 1857, which provided that when the Guardians considered a change in the extent of any district necessary for the more convenient supply of medical relief, and the medical officer declined to acquiesce therein, the Guardians might, with the consent of the Poor Law Board, and after notice to the medical officer, put an end to the appointment.

The evidence given before your Committee, particularly by Mr. Cane, shows the increase which has taken place from time to time in the number of medical officers, and the additional facilities otherwise afforded to the poor for obtaining medical relief. It likewise shows the steps which have been taken for improving the *status* of the medical officers themselves, and the additional remuneration which they have received for their services.

In 1840 there were 2,376 medical officers, whilst in 1861 the number was augmented to 3,479, being an increase of 1,103. During that interval the number of unions had increased only five per cent.; whereas the increase in the number of medical officers was 46 per cent. Again, the number of medical officers in 1853, the year immediately preceding the appointment of the Select Committee already referred to, was 3,151, whilst in 1861 it amounted to 3,479; showing not only that the number of medical officers had been considerably increased subsequently to the recommendations of the Committee, but also that many of the larger districts had been reduced in extent. 3787. 3788.

The amount of money expended for the medical relief of the poor, either as direct remuneration to the medical officers themselves, or for purposes which either immediately diminished their duties, or afforded increased facilities for performing them, has been a constantly increasing charge. In 1838 the expenditure was 136,775 *l.* It continued to increase year by year until 1848, when it reached the sum of 197,954 *l.*; and in 1861 it had attained the amount of 238,233 *l.* In 1840 a new class of payments, that of vaccination fees, first arose. These fees range up to 40,000 *l.* and even to 50,000 *l.* a year, and a large portion of them are paid to the union medical officers. Irrespectively of the fixed annual salaries, other payments are made to the medical officers. In 1842 additional payments, namely, fees for surgical and other services, were first directed to be made to the medical officers. In 1847 those fees were increased in number, and they now approach 40,000 *l.* a year. Lately a new class of payments has sprung up, namely, fees for visiting lunatics. Those fees already amount to a considerable sum. Further remuneration is made to the medical officers by special gratuities for extraordinary services rendered during outbreaks of fever, &c., or in consideration of lengthened attendance upon particular cases of accident, or upon protracted illness. Generally it should be borne in mind that whilst other charges for relief have fluctuated and diminished in amount, the cost of medical relief has steadily and largely increased from 1834 to the present time. The increase in 1851, as compared with 1841, was 36 per cent. The increase in 1861, as compared with 1851, was 13 per cent.; whereas the number of unions has not been added to in anything like a corresponding degree. It was stated to Your Committee that more than one-third of the total amount of the salaries of the union officers is paid exclusively to the medical officers in England and Wales. 3839.

Notwithstanding these changes, in themselves so favourable to the medical officers as a body, those officers, in so far as their views were represented by Mr. Griffin, the Chairman of the Poor Law Medical Relief Association, in the statement put in by him, advocated changes in the system of medical relief of a most extensive character. The principal proposals are the following: The right to medical relief, but in some cases by way of loan, of all persons applying for such relief and declaring themselves destitute of the means for obtaining it. The right of the medical officer to convert persons so attended by him into his private patients if their income should exceed 20*s.* a week. The right of the medical officer to give imperative orders for the supply of any articles of food and any kinds of stimulants that he may consider necessary for his patients. The establishment of stores and stations for the deposit and supply of such articles upon the unrestricted orders of the medical officer. The introduction of a new and complicated system of remuneration, and the payment of various additional fees to the medical officers. A provision for the superannuation of the medical officers, and their exemption from turnpike tolls when visiting pauper patients, from the assessed taxes on one horse, carriage and man-servant, and from excise duty on the spirits of wine used in the medicines for the sick poor. The compulsory establishment of dispensaries, and the appointment of a "Medical Secretary," which secretary should adjudicate upon all matters relating to the medical relief of the poor, subject to the confirmation 13328. 13331.

of the Poor Law Board. In support of his statements and recommendations, Mr. Griffin handed in several voluminous tables, which were fully analysed and
3892. commented upon by Mr. Cane in the evidence afterwards given by him.

It is evident to Your Committee that many of the changes advocated by Mr. Griffin, and the distribution of food, wine, and other articles of nutriment at the unchecked discretion of the medical officer, would unquestionably increase the expenditure for the relief of the sick, and diminish to a serious extent the control and responsibility of the Guardians.

Your Committee do not find that, under the existing system, any practical difficulty is experienced in securing the services of competent medical practitioners as union officers; and, looking to the large number of medical officers that are now employed to attend the sick poor, the progressive diminution in extent of districts inconveniently large, the care that has been taken to ensure the engagement only of properly qualified medical men, their augmented remu-
3842. neration, and their improved *status*, arising from their tenure of office, and from other causes, Your Committee believe that the system under which medical relief is administered has been greatly improved, and that the poor were never so promptly attended to, or so effectually relieved during sickness, as they are at the present time.

Your Committee, however, think that the suggestion made by some of the witnesses, that the Guardians should provide cod-liver oil and other expensive medicines, is one of considerable importance. Dr. Rogers, one of the medical officers of the Strand Union, recommends that the guardians should find all the medicines; but his reasons apply with greater force to the more
13358. expensive drugs. He says, "If the Guardians find the medicines, nothing would "interfere to prevent the poor having administered to them the best and most "appropriate remedies; on the contrary, when the medical officer does so, the "temptation is put in his way of using cheap drugs, especially where the salary "is small, and the duties large; again, it would remove the suspicion, sometimes "entertained, that the medical officer would abuse his power by ordering wines "and other *stimuli* found by the Guardians in lieu of expensive drugs found by "himself." Mr. Griffin suggested that the following articles should be omitted from the medical contracts: leeches, cod-liver oil, cotton wool, ingredients for
4089. poultices, quinine, and sarsaparilla. He says, "Cod liver oil is often necessary
4087. "to use in cases of consumption for many months at a time; but its expense "is a bar to its general use by the medical officer." Dr. Robert Fowler, district medical officer of the East London Union, was of opinion that it would be to the interest of the poor and the ratepayers that Guardians generally should supply cod-liver oil at the cost of the union.

3894. Your Committee find that in some unions the Guardians, with the concurrence of the Poor Law Board, provide such medicines as cod-liver oil and quinine.

With such facts in evidence, the Committee have adopted the following Resolution, viz.:

> That there are no sufficient grounds for materially interfering with the present system of medical relief, which was made the subject of special and lengthened inquiries by Select Committees of this House in the years 1844 and 1854.
>
> The recommendations of those Committees were for the most part carried out by the orders of the Poor Law Board, and the system of medical relief appears to be administered with general advantage. Your Committee, however, recommend that in future cod-liver oil, quinine, and other expensive medicines, shall be provided at the expense of the Guardians, subject to the orders and regulations of the Poor Law Board.

Audit of Union and Parish Accounts.

Your Committee have given considerable attention to the present system of auditing the Union and parochial accounts. They received evidence from, and ascertained

ascertained the views and opinions of, chairmen and other members of Boards of Guardians, of union and parish officers, of the Auditors themselves, as well as the "Inspector of audits," with reference to the operation of the existing system, and with regard to its improvement.

The evidence shows that the alteration of the law effected by the 7 & 8 Vict. c. 101, and the arrangements made under that statute, by which "district auditors" were substituted for Auditors elected by each Board of Guardians and acting separately for each union, have led to greater uniformity of procedure, more vigilant and detailed examination of the accounts, and more careful expenditure of the funds raised for the relief of the poor.

A change from a comparatively lax to a more stringent audit has given rise to some dissatisfaction on the part of the guardians and the union and parochial officers in some of the districts, and various suggestions have been made to the Committee with the view to remove the grounds for such dissatisfaction.

The Committee, however, are not prepared to recommend that the Auditors, who are now elected by local authority, should be authorised to allow expenditure which has not been warranted by law.

The provision made by the statute last referred to, under which any person aggrieved by a decision of an Auditor on an illegal or questionable item of account, can appeal to the Poor Law Board, has been attended with much public benefit. Moreover, the provisions of the statute, 11 & 12 Vict. c. 91, under which the Board are authorised to decide such appeals upon "equitable considerations," enable them to extend adequate protection to the ratepayers, and afford substantial redress, almost without expense, to all persons who may have inadvertently assented to irregular payments from the funds raised for the relief of the poor. The provisions of the law in this respect do not, in the opinion of Your Committee, call for revision, but it appears to them that much time, trouble, and expense would be saved, if the Poor Law Board were empowered to remit surcharges and disallowances, especially in cases of trifling amount, by a letter signed by the secretary on behalf of the Board, instead of by a printed order issued under their hands and seal, as at present.

The Committee cannot advise that these appeals should be withdrawn from the Poor Law Board, by whom they have hitherto been decided, upon uniform principles and almost without cost to all parties concerned, and (as urged upon the Committee by some witnesses) be transferred either to the "county courts" or to the justices in "quarter" or "petty sessions." Such a change would give rise to decisions of a more or less conflicting and unsatisfactory character, based as they would be upon less general and uniform considerations. Moreover, such a change would not only be attended with greatly increased expense and trouble to those who appeal, as well as to those who would have to support the finding of the Auditor, but would practically remove the control of the relief of the poor from a Board now immediately responsible to Parliament, and give it either to a comparatively irresponsible local officer, or to those who are actively concerned in administering such relief and in making all the disbursements incidental to it.

The true remedy for the dissatisfaction which has partially arisen, as well as the proper means for the improvement of the system, will probably be found in an extension rather than in a modification of the principles of the more recent enactments. A better definition of the incidental expenses which the guardians may incur, and a more careful selection of the persons who are to discharge the duties of an Auditor, combined with complete and undivided attention to those duties, would be calculated to reconcile all interests to the supervision which must necessarily be exercised over the receipt and expenditure of a fund which exceeds 8,500,000 *l.* annually.

In order to effect such desirable results, it has been proposed that the appointment of Auditors should in future be made by the Poor Law Board, as recommended by the Select Committee of this House on the Poor Law Amendment Act, 1838, and by the Committee of Inquiry appointed by the Treasury in 1852, instead of by the Chairmen and Vice-chairmen of the Boards of Guardians in the Audit districts. The time of those officers, when so appointed, should be wholly devoted to the public service. Their numbers should be reduced so as to afford sufficient occupation for their whole time, and admit of their adequate remuneration. But in order that these changes may be the more readily effected, the Poor Law Board should be invested with full powers for

the dissolution and reconstruction of audit districts; they should be enabled to transfer the services of an Auditor from one locality to another, and, as occasion arose, empower the Auditor for one district to act conjointly with or independently of the Auditor of another district.

3599. It has been shown to the Committee that, although large defalcations on the part of union and parochial officers frequently occur, yet that those defalcations are inconsiderable when contrasted with the total annual amount raised and expended for the relief of the poor. These defalcations have for the most part arisen with assistant overseers and collectors, and a more vigilant audit and more frequent examination of the accounts of these and other Poor Law officers, may prove that the misapplication and embezzlement of the funds of the ratepayers is more frequent than is at present supposed.

The Committee therefore recommend that in addition to the powers conferred upon Auditors for the purpose of holding the periodical audits now required by law, they should be enabled to call for, examine, and inspect all rate books and books of account relating to the collection and expenditure of poor rates, without formal notice, and at any time when required by the Poor
3638. Law Board to do so.

It has been stated to the Committee that entire rates have occasionally been made, either with or without the allowance of justices, and studiously kept from the cognizance of the Auditor, and they are thus more readily em-
3649. bezzled by parochial officers or expended for purposes to which such funds cannot legally be applied. With the view to the defeat and the more prompt detection of such practices, the Committee recommend that overseers should be compelled, under a penalty, to obtain the justices' allowance to every poor rate; that no rates should be allowed, except at petty sessions.

2216. Increased facility for evading the consequences of a disallowance by an auditor, or for making payments which the law does not permit, is afforded by the interest accruing upon the balances in the hands of union treasurers, and of bankers of overseers of the poor.

The Committee consider that the interest on such balances should be carried to the credit of the parish or the union, as the case may be, and accounted for to the Auditor in like manner as the rate itself is accounted for. If it were made compulsory on overseers to deposit the money collected from ratepayers with a banker selected or approved of by the vestry, then such overseers might be exempted from personal loss in case of failure of such bank, and the necessary expenses connected with the keeping of the account might be rendered a lawful charge upon the parish funds.

The dissatisfaction which has been occasioned by the disallowance of certain charges in connection with the business of the union, such as payment of travelling expenses of candidates for union offices, charges for newspapers, expenses of committees to visit asylums and schools, &c., will be obviated by the recommendation of your Committee, that the Poor Law Board be empowered to define from time to time what incidental expenses the Guardians may incur in the discharge of their duties.

Upon this important branch of the inquiry, Your Committee have agreed to the following Resolution, viz.:—

> That the Committee, having regard to the recommendation contained in the Reports of the Select Committee of this House on the Poor Law Amendment Act in 1838, and of the Committee of Inquiry appointed by the Treasury in 1852, and also to the anomaly now existing of the appointment of the Auditors being vested in the Chairmen and Vice-chairmen of Boards of Guardians, consider that the power of appointing District Auditors should in future be vested in the central authority. The Committee are further of opinion that the time of those officers when appointed should be wholly devoted to the public service, and that with this view their numbers should be reduced as vacancies occur, and the vacant districts incorporated with others.

That

That the Poor Law Board should be invested with power to define the incidental expenses incurred by Guardians, which should be charged on the rates.

Unions and Parishes under Gilbert's Act and Local Acts.

In connexion with the subject of the audit of union and parish accounts, the attention of Your Committee was incidentally directed to the exceptional legislation which exists with respect to certain matters connected with the administration of the Poor Law in some of the metropolitan parishes, and also in the Unions formed under Gilbert's Act. By the 7 & 8 Vict., c. 101, s. 65, it is provided that where any parish governed by Guardians or Directors under a local Act, and containing a population exceeding 20,000, has adopted the provisions of the 1 & 2 Will. 4, c. 60; and that where any two or more parishes within the district of the metropolitan police have been united under a local Act for the purposes of rating and settlement, and are governed by Guardians or Directors, and have an auditor or auditors under such local Act, such parish or two or more parishes shall not be included in any district for the audit of accounts. In some of the largest parishes in the metropolis, great defalcations took place a few years ago, which afterwards led to the introduction of the audit system so far as the same appeared applicable to those parishes; and 3544.
" in this manner the audit was improved, although very much against 3619.
" the inclination of the parish authorities." Whilst, however, the Poor Law Board possess the power of ordering the Guardians of the parishes referred to, to appoint an auditor, it must be borne in mind that the selection of the individual is absolutely within the discretion of the Guardians. Upon this point, 3619.
Mr. Cane, one of the Poor Law inspectors, whose duty at that time was principally connected with the supervision of the audit of accounts, states, that in consequence of the exception contained in the section already quoted, " there 3616.
" are three or four of the largest parishes in the metropolis who elect their
" own auditor, and they are not included in any audit district at all. I am not
" aware of, neither could I discover, any reasons why there should be an exemp-
" tion in favour of those parishes; and, if it is possible to improve the system of
" audit, I do not see why the parishioners and ratepayers in such parishes should
" not partake of the benefits of the more efficient audit if it can be established."

With reference to the accounts kept by some of those parishes, it was stated 3621.
to Your Committee, that " they are very intricate, and very difficult to unravel;
" that they are not kept on any uniform system; that they are not so organized
" that each account forms a check upon another; and that unless some further
" provision be made by which the system of accounts, as prescribed by the
" Poor Law Board, should be followed, it would be very difficult, without great
" personal exertion and great attention, to institute a more efficient audit."

Mr. Streeten, the auditor appointed by the directors of the parish of St. Pancras, pursuant to one of the orders issued by the Poor Law Board, under the circumstances already referred to, after pointing out certain anomalies arising from the existence of the local Act under which that parish is governed, said, " I believe the local Act to be very pernicious, and, in my opinion, the best 7386.
" thing to do would be to repeal the Act, for I can see no reason why, in the
" case of St. Pancras and the metropolitan parishes generally, the general law
" should not be applied."

With respect to the Gilbert Unions, it appears that most of them are included 3572.
in some audit district or another. In alluding to these unions, Mr. Cane says,
" Many of the Gilbert Union accounts are audited by the district auditor; he 3571.
" audits the accounts, but they are altogether so anomalous, that it is very
" difficult to subject them to that rigid audit which you can bring about when a
" system of accounts is kept under the general forms adopted and carried out
" in other unions."

Your Committee think it right to remind the House, that the attention of the Select Committee appointed in 1838 to inquire into the administration of relief under the Poor Law Amendment Act, was specially directed to the serious inconveniences resulting from the existence of Gilbert Incorporations, and other parochial jurisdictions under local Acts, and they recommended the disso-

lution of all Gilbert Incorporations, and a repeal of all provisions in any local Acts which relate to the administration of relief to the poor.

Having regard, therefore, to that recommendation, and to the manifest intention of the Legislature in passing the Poor Law Amendment Act, viz., to introduce uniformity in action in the governing and relieving the poor throughout the kingdom, Your Committee have agreed to the following Resolution:—

> That it is necessary to the uniform action of the Poor Law, that the central authority should have the same powers in unions and parishes now acting under local statutes, or under the Gilbert Act, as in unions or parishes constituted under the Poor Law Amendment Act.

Religious Rights of the Inmates of Workhouses and District Schools.

Another subject which engaged the attention of Your Committee was that of the position, in a religious point of view, of the inmates of workhouses and pauper schools. Your Committee examined numerous witnesses upon this point, and the diversity of opinion which prevailed amongst them was so great, that Your Committee think it desirable in the first instance briefly to refer to the present law and existing regulations of the Poor Law Board upon the subject. It is enacted by the 19th section of 4 & 5 Will. 4, c. 76, "that no "rules, orders, or regulations of the Poor Law Commissioners, nor any bye-"laws at present in force, or hereafter to be made, shall oblige any inmate of "any workhouse to attend any religious service which may be celebrated in a "mode contrary to the religious principles of such inmate, nor shall authorize "the education of any child in such workhouse in any religious creed, other "than that professed by the parents or surviving parent of such child, and to "which such parents or parent shall object, or, in the case of an orphan, to "which the godfather or godmother of such orphan shall object: Provided also, "that it shall and may be lawful for any licensed minister of the religious per-"suasion of any inmate of such workhouse at all times in the day, on the "request of such inmate, to visit such workhouse for the purpose of affording "religious assistance to such inmate, and also for the purpose of instructing his "child or children in the principles of their religion."

The 43d section of the Act of 7 & 8 Vict. c. 101 (the Act authorising the formation of district schools), also contains the following proviso: "Provided "always, that no rules, orders, or regulations of the said Commissioners, nor "any regulations made by such district Board, shall oblige any inmate of any "such school or asylum to attend any religious service which may be celebrated "in a mode contrary to the religious principles of such inmate, nor shall autho-"rize the education of any child in any religious creed other than that professed "by the parents or surviving parent of such child, and to which such parents or "surviving parent may object, or, in the case of an orphan or deserted child, "to which his next of kin may object. Provided also, that it shall be lawful "at all reasonable times of the day, according to the rules and regulations to be "made for this purpose by the said Board (District School Board), for any "minister of the religious persuasion possessed by an adult inmate of the "religious persuasion in which any child has been brought up, or in which the "parents or surviving parent or next of kin, as the case may be, may desire "such child to be instructed, to visit the school or asylum at the request of such "adult inmate, for the purpose of affording to him religious assistance, or to "visit such child for the purpose of instructing such child in the principles of "his religion."

By the 10th section of the Act 20 & 21 Vict. c. 48, (the Industrial Schools Act), it is enacted, "that in every industrial school a book shall be kept by the "managers, to which access shall be had at all reasonable hours, in which the "religious denomination of the child, when admitted to the industrial school, "shall be entered; and it shall be lawful, upon the representation of the "parent, or, in case of an orphan, then of the guardian or nearest adult relative "of any inmate placed in such industrial school under the provisions of this "Act,

"Act, for a minister of the religious persuasion of the inmate of such industrial "school, at certain fixed times of the day, which shall be fixed by the managers "for the purpose, to visit such school for the purpose of affording religious "assistance to such inmate, and also for the purpose of instructing such inmate "in the principles of his religion." Form 22 (a) in the general order of accounts issued by the Poor Law Commissioners directs that the religious persuasion of every person in the receipt of in-door relief, shall, amongst other particulars, be entered in such form, and on the 23d of August 1859 the Poor Law Board issued an order directing that the religious persuasion of "every orphan whose "godfather or godmother does not give information with regard to the religion "of such orphan," should also be entered in such form. The order in question then proceeds to direct that whenever there shall be in the workhouse any orphan child under the age of 14 years, the master of the said workhouse shall enter in such in-door relief list as the religious persuasion of such orphan, the religious creed which was professed by the father of such orphan at the time of his death, if the master know or can ascertain the same by reasonable inquiry, or, if the same cannot be so ascertained, the creed professed by the mother of such orphan at the time of her death, if the same be known to the said master, or can be by him in like manner ascertained.

"Provided always, that if the godfather or godmother of such orphan shall "make any objection, this article shall not have any force or application.

"That such orphan, while an inmate of the workhouse, shall not be instructed "in any other religious creed than that so entered, unless he or she, being "above the age of 12 years, shall desire to receive instruction in some other "creed, and unless he or she be considered by the Poor Law Board to be "competent to exercise a reasonable judgment on the subject.

"That the master of the workhouse shall, subject to the directions of the "guardians of the union, take all practicable steps in order to procure the "attendance at the workhouse from time to time, for the purpose of affording "religious instruction to such orphan, of some minister of the religious per-"suasion of the said orphan, as ascertained according to the provisions of this "order, or according to the information of the godfather or godmother.

"Provided always, that such attendance shall take place at such times as "shall not be inconsistent with the discipline and good order of the workhouse.

"That the provisions herein contained, applicable to the master of the "workhouse, shall extend to the matron in cases in which there shall be no "master, or in which he shall be absent, or his office shall be vacant."

Upon consideration of the provisions of the law, and the orders of the Poor Law Board, it is evident to Your Committee that every intention has existed to afford religious freedom to all inmates of workhouses and pauper schools, and to protect them against any undue interference with their religious persuasion and predilections.

It has been alleged, however, to Your Committee, that the provisions and regulations in question afford very inadequately, in practice, the protection intended; and Your Committee beg to refer to the very full evidence upon this subject given by the Rev. John Morris, Roman Catholic priest, and secretary to a committee for bringing the position of Catholics in workhouses before a Committee of the House. The following points are collected from Mr. Morris's evidence: that the order (Accounts Order, dated the 17th March 1847) of the Poor Law Board requires that the religion of every inmate of a workhouse shall be entered in the Indoor Relief List, without distinction of age or sex. No one but an official or a guardian can see the Creed Register; nothing comes of the fact of the religion of a Catholic being registered, because that fact does not authorise a priest to visit the case. Many attempts have been made by priests to ascertain who are Catholics, but the information has been refused. A Catholic inmate may on request see a priest, but this depends on the goodwill of the officials at the workhouse; the inmates are not officially informed that they have the right to request the visit of a priest; most of them know nothing of their rights. He was not aware that any Catholic inmate has been compelled to attend Protestant form of worship, but there is a sort of moral compulsion tending to that result. The guardians are permitted to allow inmates to go to their own places of worship. He would wish the Legislature to provide them with the means of attending their own worship on Sunday morning; at present their attendance is only permissive, and that permission is generally

8424 to 8759.

withheld in the Metropolis, unless the inmate is 60 years of age; therefore until then, they are prevented altogether from attending mass. Such attendance is an obligation on Catholics; no doubt mass might be celebrated in the workhouse if the guardians would permit it. The Catholic Church would sanction it. There ought to be a complete register, accessible to every one, and he thinks every one might have the power of appeal. He thinks there should be a paid Catholic chaplain in certain workhouses where the work is heavy, and there are not many such workhouses. A similar demand need not be necessarily granted to all other religious denominations; first, because the number as balanced against Catholics is very small; and secondly, the difference between the Roman Catholic and the Protestant religion is an acknowledged one, whilst Dissenters do not feel themselves separated from the Church of England by anything like the same distance as Roman Catholics. There are 356 workhouses in which there are no adult Catholics, and there are 575 in which there are less than ten. Mr. Ewart's return shows that there are in the Metropolis 13,514 Church of England adults, and 3,962 children; 2,157 adult Roman Catholics, and 372 Roman Catholic children; 578 Dissenters, and 37 children of Dissenters. The disproportion is very large. The discretion as to paying a Roman Catholic chaplain might be left with the Poor Law Board. The rule should be the number of Catholic inmates; the appointment should be with the Poor Law Board, and certainly not with the guardians. It would be a great improvement if Catholic children could be collected in houses where they could be guided by officers of their own religion; this would be impracticable as regards adults. In speaking of the workhouses, he certainly had no objection to their discipline; he referred to religion only. For instance, he would prefer that mass should be said in workhouses rather than that they should have the privilege of going out to mass. He does not advocate separate workhouses for adult Catholics, but most certainly he does for Catholic children, and sees no difficulty in the matter, and is most anxious to see it done. The room set apart for mass need not be permanently set apart, for the priest would have a portable altar. In London there are ten workhouses, belonging to parishes containing, at the Census of 1851, a population of 877,540, not required to keep a Creed Register; they have never received an order to keep such a register. Priests have been refused access to Roman Catholic children at almost every workhouse in London.

8801–6. The petition to the Legislature is that the words "on the request of an inmate" may be erased from the statute. The proper priest to attend at any workhouse is the priest to whom his bishop committed the duty. As to the time of visiting, I would have no objection to the terms "at all reasonable times," but the Act of Parliament says "at all times in the day."

8818. The argument that the discipline of the house is disturbed by inmates going out to mass, is in favour of mass being said in the house. He finds that

8827. Mr. Ewart's return gives, for England and Wales—adult members of the Church of England, 60,632; children ditto, 35,592. Taking Roman Catholic adults as

8828. there returned at 5,752, the children, at the same proportion to adults as those of the Church of England, would be 3,376; but the return gives only 2,378, just

8858. 1,000 too few. He has not the least doubt that the return for the Metropolis was grossly inaccurate.

8865. The case of the district schools is in his opinion the most flagrant, for he sees by the 13th Report there are 2,194 children in those schools in the Metropolis, and of those ten only are stated to be Catholics. He wishes the Committee to infer from this that there are a great number of Roman Catholic children, paupers in workhouse schools, who are receiving no instruction from their clergy.

About 60 per cent. of the children in these schools are orphans. As the law stands at present, a positive objection is required to be made by some one before a Catholic child can be brought up as a Catholic.

Under the Poor Law Amendment Act, the objection must be made by the parent, surviving parent, or, in the case of an orphan, by the godfather or godmother of the orphan. Under the District Schools Act, the objection must be made by the parent, or, in the case of an orphan or deserted child, by the next of kin: thus two objections may have to be made for the same child—one in the workhouse by the godfather, and another in the district school

school by the next of kin. The Poor Law Amendment Act makes no provision for a deserted child whatever; but as none but inmates can ask for instruction for their children, the deserted child is in that respect unprovided for; but such a child often has had instruction for some years in the religion of its father, and therefore it is a grievous injury that there is no legal provision that he should be brought up in the religion in which he was originally baptized.

Godfathers and godmothers, and indeed parents, do not know their rights; so that, in fact, the parents and children may be registered as Catholics, and yet the children may be sent off to a district school and educated as Protestants, without the parents being informed of it, or that they may have a legal power to prevent it. Often, when they know it to be the case, they think there is no help for it, and many priests think the same.

Mr. Morris's evidence was so complete in regard to his view of the subject, and he represented so fully the views of the other Roman Catholic witnesses examined, that Your Committee think it unnecessary to refer to their evidence.

Your Committee also examined several witnesses whose opinions are strongly opposed to those expressed by Mr. Morris. Mr. William Turner, chairman of the Board of Guardians of the parish of St. Pancras, stated, in substance, that the Guardians have a list of the Roman Catholics in the St. Pancras Workhouse, made at the request of the parties, to be entered as Roman Catholics. Any one who chooses may claim to be a Roman Catholic, but the guardians object to the inmates being compelled to state what their religion is; it is inquisitorial to exact any such thing. They object to the column in one of the books of the Poor Law Board, showing the religious persuasion of a person entering the house. He maintains that a Creed Register is quite unnecessary, for the people have every opportunity of stating their wishes. It is no prejudice to a man in the workhouse to state that he is a Catholic; the fact of his being a Roman Catholic is sufficient to enable him to go out on Sundays, provided he is well conducted. If a Roman Catholic expresses a wish as to the religious education of his children, it would be attended to; but as regards orphans, it would seem to be preposterous to expect the master to search for and hunt out the religion of every child.

There ought in his opinion to be no inquiry about the orphans; they ought to be sent to the school in the ordinary way. They are taught in the school without any sectarianism; no entry is made in the books of the religion of those children whose parents it is perfectly well known are Catholics. He thinks there would be an impropriety in registering as Roman Catholics those children both of whose parents were dead and were well known to be Roman Catholics; they ought to be sent to the schools in the ordinary way, for the guardians have to keep them and to manage them, as they do other children. Such children would be brought up in the established religion of the country. This rule would apply to all other Dissenters. It would be inconvenient to do more for religion than to provide for a minister of one persuasion. The guardians find Roman Catholic adults desirous of listening to the teaching of the chaplain of the house, and there is no rule to prevent it. There are persons of different persuasions who come to the workhouse; they have the opportunity of going out to chapel if they like; but they fall in very generally, and get reconciled to it. With regard to the children, they are simply taught what the guardians believe to be the truth.

He thinks that there are more Roman Catholics in the workhouse than those who have thus registered themselves. There are about 300 children at school. The guardians do not recognise any of them as being Roman Catholics. He thinks that if a man had deserted his family, whom the priest knew to be a Catholic and his family to have been Catholics, the guardians would object to his interference with, or to his having access to, those children: the children having been deserted, the guardians should be allowed to train them up in what they believe to be the paths of rectitude; having to keep them, they should be allowed to train them, and to endeavour to make something better of them. There are many objections to a Roman Catholic chaplain; if the Roman Catholics had a paid chaplain, all classes of Dissenters might claim the same privilege.

He objects to its being made compulsory on Roman Catholics to attend their religious worship. He thinks a deserted child should be permitted to declare itself a Roman Catholic when it is about 12 or 15 years old; but that should

not be allowed while the child is in the workhouse, for the guardians object to Roman Catholic priests coming into the workhouse. If inmates apply for them, the guardians would not object; there is no printed rule put up in the workhouse showing the adults that they may claim to send for a priest; but the law permits them, he believes, to send for a priest. He has known instances in which children of Roman Catholics in the workhouse have been instructed and brought up as Protestants, and he has no doubt that the parents knew this.

Upon consideration of these conflicting views and opinions, Your Committee have arrived at the conclusion that they can recommend the adoption of neither in their integrity. Your Committee consider that, whilst on the one hand the clear intention of the Legislature and of the regulations of the Poor Law Board in favour of the religious freedom of the inmates in workhouses should be practically carried out, on the other hand it is not expedient to do more than this, and that to attempt to do so would only be to increase the difficulties which almost necessarily spring from the profession of different creeds by inmates of the same establishment. Your Committee, after very full and careful consideration of this difficult and delicate branch of the inquiry, have come to the following Resolutions, viz. :—

That, with the view of giving full effect to the obvious intention of the Legislature in regard to the religious rights of those inmates of workhouses and district schools who are not members of the Church of England, Your Committee recommend as follows :—

1. That there shall be kept in all workhouses and in all district and separate pauper schools, a creed register, separate from other registers, which shall be open to the inspection of all clergymen and ministers of religion officiating within the union.

2. That any such clergyman or minister shall be at liberty, subject to regulations sanctioned by the Poor Law Board, to visit the inmates of his own creed in such workhouse or school, whether sent for or not; and shall, under like regulations, be allowed to assemble such inmates in some convenient place for a reasonable time on such days, not being less than one day in each week, as may be appointed by the guardians.

3. That every inmate for whom a religious service, according to his own creed, shall not be provided in the workhouse on Sundays, and on any other days required by his religion to be kept sacred, shall be permitted, under regulations sanctioned by the Poor Law Board, to attend once on such days some place of worship of his own denomination, if within a convenient distance.

4. That the Poor Law Board may require, on application to them, and on being satisfied that there are reasonable grounds for doing so, that orphans under twelve years of age, not belonging to the Established Church, shall be sent to any school of their own denomination, either certified as an industrial school, or licensed by the Poor Law Board, under the Act 25 & 26 Vict. c. 43, the managers of which shall be willing to receive such children, upon being paid at the rate of the average cost of the maintenance of the inmates of the workhouse of the union or district or separate school from which they shall be sent; but the guardians shall not be required to pay any travelling expenses respecting such orphan child.

5. That the following regulations shall be substituted for those contained in the order of the Poor Law Board, dated the 23d day of August 1859, and made the subject of legislative enactment :—

Article I. That whenever there shall be in the workhouse or district school

school any child, whether the parents or surviving parent of such child be in the workhouse, or whether such child be an orphan or deserted child under the age of fourteen years, the master or superintendent of the workhouse or district school shall enter in such creed register list, as the religious persuasion of such child, the religious creed of the father, if the master know or can ascertain the same by reasonable inquiry, or if the same cannot be so ascertained, the creed of the mother of such child, if the same be known to the said master, or can be by him in like manner ascertained. The religion of an illegitimate child shall be considered as that of his or her mother.

Article II. Such child, while an inmate of any workhouse or district or separate school, visited by a minister of his or her religious creed for the purpose of religious instruction, shall not be instructed in any other religious creed, or permitted to attend any other religious service than that so entered, unless he or she, being above the age of 12 years, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject.

Article III. The master of the workhouse, or the superintendent of the district or other pauper school, shall, subject to the directions of the Guardians of the Union, permit the attendance at the workhouse from time to time, for the purpose of affording religious instruction to such child, of some minister of the religious persuasion of the said child, as ascertained according to the provisions of this order.

Provided always, that such attendance shall take place at such times as shall not be inconsistent with the discipline and good order of the workhouse or school.

Article IV. Failing other evidence, a certificate of the baptism of the child, authenticated by the minister who has lawful custody of the register in which the baptism of such child has been recorded, shall be deemed sufficient evidence of that child's religion, and the evidence on which the entry of religion has been made shall also be recorded. In the case of all entries, the correctness of which is called in question, the Poor Law Board shall have the power to examine into the case, and to direct the amendment of the entry, if they shall think proper.

6. That the inmates of the workhouse shall be allowed the use of such religious books as may be sanctioned by the Poor Law Board.

7 That in workhouses and schools of unions or parishes where there is a numerous body of paupers of any particular religious denomination, not being of the Established Church, and requiring spiritual ministrations, it would be desirable, in the opinion of this Committee, that some remuneration should be provided for the ministers attending in such cases.

Education of Pauper Children.

The importance of the subject, as well as the interest which it has recently excited, led Your Committee to extend their inquiry very fully into the state of Pauper Education. Several witnesses were examined, and a great deal of evidence submitted in the course of their investigation. It will be convenient, in stating the result of their inquiry upon this subject, to refer,—

First, to in-door or workhouse education.

Secondly, to out-door education.

A large proportion of the inmates of workhouses in England and Wales consist of children of school age. Although the numbers vary with the pauperism of the kingdom, and in times of abundant employment are comparatively low, yet the average number in the workhouse schools is so large, that the making of adequate provision for their education must be regarded as a very important object of Poor Law administration. The urgency of the subject early attracted the attention of the Poor Law Commissioners. "At first," says Mr. Lumley, "when new unions were formed and new workhouses "were erected, the classification was, as far as possible, so arranged as to separate "children from adults in the wards of workhouses. This was carried on to "a great extent, and with as much success as was practicable under the circum-"stances of the early formation of unions; further steps have been taken since
12530. "as the system has progressed." Guardians became more alive to the advantages of education; a better class of teachers succeeded the paupers, who were too frequently employed in the schools; and by degrees, within a few years, a marked
4720. improvement took place in the education of children in workhouses. Mr. Coode, who has had much experience in Poor Law administration, and was well acquainted with the condition of Pauper Education before the passing of
12958. the Poor Law Amendment Act, stated, that in the year 1848, when he went on an inquiry concerning the operation of the Law of Removal, he visited every workhouse in his district, extending over four counties, and parts of four more. "Of all the things," he says, "I have ever observed in Poor Law administration, "no one thing ever struck me so much, as the great change that had taken "place in the whole aspect, manner, and intelligence of the children that I saw "in the workhouses." * * * "The whole aspect of things was very "greatly improved; the practical regulations of the workhouses were so much "better, and the class of officers, and their conduct, was so greatly improved, "that it was impossible to doubt that the change, all of which had taken place "in a comparatively short interval of time under the present law, had been "most beneficial." This change, however, although a great improvement upon the system which formerly prevailed, was yet considered to be so unsatisfactory, that in 1847-48, workhouse schools were brought under the inspection of the Committee of Council upon Education, and an annual Parliamentary grant of 30,000 *l.* was placed at the disposal of the Poor Law Board, for the payment of the salaries of workhouse teachers. This system has now been in operation for a period of about 16 years. As to the effect of it in improving the education of children in workhouses, a great deal of conflicting evidence was submitted to Your Committee. We shall refer briefly to the most important parts of this evidence, and then state the conclusions to which the consideration of it leads us.

The inefficiency of the existing system of workhouse education was strongly insisted upon by Miss Carpenter, Miss Twining, the Honourable Mrs. Emmeline Way, Mr. Carleton Tufnell, and others. But the most authoritative statement of the objections to it is contained in the Report of the Royal Commissioners upon Education, which was brought under the notice of Your Committee. Into the grounds upon which the "conclusions" of this Report are founded, Your Committee felt it right to inquire at some length.

Although the witnesses, Miss Twining, Miss Carpenter, and the Honourable Mrs. Way expressed opinions very strongly opposed to the system of educating children in workhouses, the inevitable result of which they consider is to demoralise the children, and to confirm them in habits of pauperism, Your Committee cannot report that these opinions were generally supported by the facts they adduced, or that those facts were sufficiently numerous to justify the conclusions founded upon them. They pointed out, however, many circumstances which they considered unfavourable to the education of that class of children, and advocated the placing them out in separate schools or institutions partially supported by voluntary contributions.

One of the heads of the Report of the Royal Commission is devoted to the subject of Pauper Education. The Commissioners treat of:

1. The education of pauper children in workhouses.

2. The education of pauper children in district and separate schools.

3. The education of out-door pauper children.

And

And they then state the "conclusions" to which they have been led by a consideration of the whole subject. The conclusions of the Commissioners, and the recommendations which they found upon them, are thus stated:

"1. That pauperism is hereditary, and that the children born and bred as "members of that class, furnish the great mass of the pauper and criminal "population.

"2. That the best prospect of a permanent diminution of pauperism and "crime is to be found in the proper education of such children.

"3. That district and separate schools give an education to the children con- "tained in them, which effectually tends to emancipate them from pauperism.

"4. That the workhouse schools are generally so managed that the children "contained in them learn from infancy to regard the workhouses as their homes, "and associate with grown-up paupers, whose influence destroys their moral "character, and prevents the growth of a spirit of independence.

"5. That the arrangements of workhouses are unavoidably such as to make it "extremely difficult to procure or retain competent teachers.

"The inference from these premises is, that the only means of improving the "condition of pauper education is to compel by law the general establishment "of district and separate schools, and that this remedy is efficient the experience "of the district and separate schools already established proves conclusively.

"With respect to the children of out-door paupers, our principal conclusions "are, that a large proportion of them are utterly destitute of education; that "the existing law gives the Board of Guardians the power, with the consent of "the parents, to remedy this, but that, from whatever cause, they do not do so. "That the children are, as a class, in a condition almost as degraded as that of "in-door pauper children; and that the remedy for this state of things is to be "found in making it compulsory on the guardians to insist on the education of "the child as a condition of out-door relief to the parent, and to provide such "education out of the rates."

To enable us to estimate the weight which should be attached to conclusions and recommendations of so much importance, Your Committee deemed it advisable to examine Mr. N. W. Senior, one of the members of the Commission. Mr. Senior stated the mode in which this portion of the Report was prepared, and the evidence upon which the conclusions and recom- 6517.
mendations are founded. He stated that he submitted to his colleagues a volume 6518.
of papers on pauper education, and said, "substantially, no doubt, I was the "author of that part of the Report" that refers to pauper education. The evi- 6520.
"dence upon which we came to our conclusions respecting pauper education, are "the Reports of the Privy Council Inspectors of Schools." * * * *
"From their evidence, which we completely relied upon, we drew our conclusions."
"We did not examine the Inspectors themselves, excepting, I think, Mr. Tufnell 6523.
"and Mr. Temple; we examined the Reports. I should state, that there "was very considerable difficulty in obtaining *vivâ voce* examinations under our "Commission. I was, perhaps, the only person in the Commission whose time "was at his own disposal. Our Chairman, as the Committee know, was the "Duke of Newcastle, whose time was exceedingly valuable; the other members "were, Mr. Miall, who is very much engaged in literary pursuits, Mr. Goldwin "Smith, who is a Professor in Oxford, Sir J. T. Coleridge, who was little in town, "and was then occupied at the Privy Council, and two clergymen whose time "was taken up by their duties; in fact, I was the only person whose time was "at his own disposal; and we did not like *vivâ voce* examinations, except with a "full Board, and the consequence was, that we had few." "Are the Committee "to understand that the Royal Commission was composed of persons who were "otherwise so much occupied, that they were unable to see the witnesses who "gave the evidence, or to submit them to any cross-examination? We relied "almost completely on this subject, on documentary evidence." "You actually 6524.
"did not put any questions upon that evidence? We had not the witnesses "before us. We took the Reports of the Inspectors of Schools, whose whole "time was employed upon that subject, and whose reports were published, and "we thought that that was the best evidence that we could have." "We did 6525.

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"not examine any Poor Law authorities that I am aware of." Although the Commissioners "formed their report almost exclusively" upon the Annual Reports of the Inspectors of Workhouse Schools, yet they had also before them the written answers of several persons to whom they addressed a "circular of "questions." To these answers, however, the Commissioners did not attach much value. "I must say," Mr. Senior observes, "that I do not attach much "importance to many of those answers, because when people answer a circular, "they answer it often without much consideration, and many of them are persons of very little experience." "We made very little use of them (the "answers). We did not attach much importance to them."

He appears to have proceeded on the principle explained in the following extract from his evidence:—

"6911. Mr. *Ayrton*.] I observe that the Report of the Commissioners, and "their recommendation with regard to the treatment of the children of the "independent poor, is *verbatim* the recommendation which you yourself pro- "posed to them?—That is so.

"6912. Are the Committee to understand that that recommendation is to "be taken in subordination to the principles that you submitted to the Com- "missioners at the beginning of this paper, which I will read: 'That it is as "'much the duty of the community to see that the child is educated, as it is "'to see that it is fed; that unless the community can and will compel the "'parent to feed the child, or to educate the child, the community must do "'so; that the elementary education of a child costs not less than 30 *s.* a year; "'that there is no reason to believe that now, or at any time that can be "'defined, that sum is or will be obtainable from the parents; that it is the "'duty of the State to aid private benevolence in supplying the sum that is "'not obtainable from the parent; that we ought to recommend a system of "'State assistance for that purpose.' Would you take the recommendation "of the Commissioners, copied *verbatim* from your proposal, in subordination "to those principles?—My colleagues did not adopt those resolutions; and, "therefore, if they did not adopt them, it cannot be inferred that their recom- "mendations are subordinate to those principles.

"6913. They emanated from you as the practical application of those prin- "ciples in your own mind which you had adopted and proposed to them as "recommendations?—Yes; and I adhere to them now.

"6914. Throughout your evidence you have fairly maintained those prin- "ciples in your answers, have you not?—I maintain them fully."

It would appear, therefore, by the evidence of Mr. Senior, that that part of the Report of the Royal Commission, which refers to Pauper Education, conveys the conclusions which the Commission drew from the perusal of the Annual Reports of the Inspectors of Workhouse Schools.

A great deal of evidence was given before your Committee: 1st., as to the character and bearing of these Reports; 2d., as to the progress and actual condition of Pauper Education, both at the period to which those reports refer, and subsequently to that period.

Your Committee would observe, in the first place, that the Reports of the Inspectors of Workhouse Schools, although they afford evidence of the state of the schools at the periods of inspection, do not furnish any grounds whatever for conclusions upon some of the subjects referred to by the Commissioners. Indeed, one of the most experienced of the inspectors, Mr. Tufnell, protests against these reports being taken as evidence of anything more than the intellectual condition of the children in the schools. "A school inspector," he observes, "generally can rarely test anything more than the intellectual con- "dition of the school." Whether "pauperism is hereditary, and the children "born and bred as members of that class furnish the great mass of the pauper "and criminal population," and whether "the best prospect of diminishing "pauperism and crime is to be found in the education of such children," are questions upon which some of the inspectors may have incidentally expressed opinions, but in support of which their reports contain no evidence. It has moreover been very strongly represented to Your Committee that other and more important conclusions of the Commissioners are not only not supported by the reports upon which it is alleged that they are founded, but are in fact at variance with them. In the evidence given before Your Committee by Mr. Senior,

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Senior, he states that "according to these reports" the education of children in workhouses "appears to have been stationary" during the ten years from 1850 to 1861; and such is the impression conveyed in the Report of the Commissioners. No such conclusion, however, can be fairly drawn from these reports. They contain, on the contrary, abundant evidence of the progressive improvement of the schools under inspection. In 1859 Mr. Ruddock, one of the inspectors, writes: "In very many respects I have to congratulate your "Lordships and myself upon the improvement which has taken place in the "condition of the schools generally, more especially within the last 18 months; "and if I compare their present state with that I first described, 10 years ago, "I have every reason to be thankful that my labours have not been in vain." In the following year Mr. Ruddock was "much struck with the many instances "of improvements made or attempted in the various schools" which he visited; while in a more recent report he expresses his belief "that pauper education "is proceeding as favourably as the nature of its elements will permit. There "is a very fair amount of religious, moral and intellectual instruction afforded "to the large majority of pauper children, and there is a steady extension "taking place of industrial training." Another of the inspectors, Mr. Bowyer, writing in 1857, says: "Though I cannot profess to be satisfied that all has "been accomplished that was possible towards the important object of raising "the youthful portion of the pauperised classes above the low level on which "their parents grovel, I should not do justice to the exertions of Boards of "Guardians, of the Poor Law inspectors, and perhaps I may add, your Lord-"ships' inspectors, were I to fail to acknowledge that the education imparted "to those children in workhouses, is, with all its defects and inherent draw-"backs, on the whole an inestimable benefit both to the children themselves "and to society; and that a vast number of them who would but for that "education remain paupers all their lives, or recruit the criminal population, "grow up to be industrious men and women, and are never more seen in "the workhouses." In 1855 Mr. Symons, another of the Inspectors of the Committee of Council, reports: "A higher estimate of the uses of efficient "instruction for the labour classes is gradually obtaining ground in my dis-"trict." * * * "Some unions which till lately had steadily opposed "the improvement of their schools, now desire and promote it." * * * "Many of the miniature farms and plots of ground connected with the union "schools in my district are models of horticulture, and the lessons taught "the boys are invaluable." In 1859 Mr. Symons again reports: "The Poor "Law Inspectors have co-operated with us in urging the necessity of in-"dustrial and more practical instruction on Boards of Guardians during many "years, and certainly with much good result, though not with entire success. "Children are now more easily placed out in good situations, and do well in "service in unions where formerly they used to be returned as useless to the "workhouse." The detailed reports of Mr. Tufnell and Mr. Bowyer upon the state of the workhouse schools under their superintendence, were submitted to Your Committee by Sir John Walsham, one of the Inspectors of the Poor Law Board. These reports, of very recent date, show not only that great improvements have taken place, but that the schools are in a high state of efficiency. Mr. Tufnell, who was personally examined by Your Committee, so far from concurring with Mr. Senior that pauper education has been stationary during the last 10 years, thus corroborates the opinion of other witnesses that it has made marked progress: "We understand that they [work-"house schools] have been gradually improving, and now they are better than "they have been before, and that the result, as tested by inquiries into what "has become of the children that have been trained in those schools, is very "satisfactory; that statement has been made before this Committee, and facts "have been adduced to prove it; I want to know what there is opposed to "that which would justify the conclusion of the Education Commissioners?"

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"The statement in the question is perfectly correct; there has been a very "great improvement of late years, owing to the improved condition of the "teachers that have been appointed since that Parliamentary grant has been "allowed."

For the purpose of ascertaining still further what is the actual condition of pauper education, Your Committee received a great deal of evidence, oral and documentary, and, in addition to the witnesses before named, they examined

several of the Poor Law Inspectors, Mr. Browne, one of Her Majesty's Inspectors of Workhouse Schools, and other persons.

Whatever may have been the state of education in workhouses previously to 1847, there can be no doubt that since that period it has made remarkable progress. The starting point of this improvement was the payment of the salaries of teachers out of the Parliamentary grant, and the consequent examination of workhouse schools by the Inspectors of the Committee of Council upon Education. All the witnesses examined by Your Committee concur in attributing to these measures the great change for the better which since that time appears to have taken place in the condition of workhouse schools. The opinion expressed by Mr. Tufnell is in accordance with that given by all the other witnesses:—"The Parliamentary grant has been beneficial; it has very much 6259. "improved the children in all the workhouses, and it has given a very superior "class of masters and mistresses to those who existed under the former system, "before that grant was made by Parliament." The effect of this change was strongly insisted on by the witnesses, as shown—

1st. In the improved intellectual education of the children.

2d. Their improved industrial training.

3d. The success of Boards of Guardians in placing the children in service.

"In most workhouses," Mr. Tufnell says, "the intellectual education of 6358. "the children is extremely good." Mr. Lambert, one of the Poor Law Inspectors, is decidedly of opinion that the intellectual education of children in workhouses is better than that of the same class out of the workhouse. Mr. Doyle, 5063. another of the Poor Law Inspectors, produced evidence in support of the same opinion from the chaplains of nearly all the workhouses in his district. The Rev. J. Armitstead, who is strongly opposed to the system of workhouse edu- 4448. 4869. cation, is yet of opinion that the teaching is very good, and does not think that it "can be much mended." Mr. Senior says, "I have always felt that the "scholastic education in workhouses was not only good, but probably too good." 6678. Indeed upon this point Your Committee did not find any difference of opinion amongst the witnesses who were examined.

In connexion with this efficient intellectual or merely scholastic education of the children, a system of industrial training appears to have been generally adopted in workhouses. In agricultural unions the elder boys are usually employed in garden labour, and the girls in household work. Mr. Gulson, one of the Poor Law Inspectors, states that "in most unions there are laundries and "washhouses specially for the use of the girls, and they are taught to wash and "get up linen. They are also taught that which is intended to fit them for 12747. "household service." Mr. Doyle, another of the Poor Law Inspectors, stated to Your Committee, that "in 1847 the Committee of Council, through their "inspectors, made it almost a condition of giving a grant to a school that an "efficient system of industrial training should be introduced into the schools "everywhere. There was hardly a union in my district in which the means of "industrial training were not provided for boys and girls. Land was taken "for boys; men were employed to teach them shoemaking and tailoring; wash-"houses were built for girls, and industrial trainers appointed and paid by the 4281. "Committee of Council on Education. There is no department of the "Poor Law administration in which so great and so beneficial a change "has taken place as in the industrial training of the children in workhouse "schools. The whole of the evidence of the school inspectors appears to 4282. "me to be as conclusive upon that as upon any other point referred to in "their reports." Mr. Hawley, Poor Law Inspector, stated that "with re-"spect to industrial training, I believe that that portion of the education "of the children has been pushed as far as it can be in the workhouse "schools. With regard to the girls they are taught everything that is "useful to them in after-life; all sorts of household work, sewing, and making "and mending their own clothes; and lately, washhouses and laundries have "been introduced into most of the workhouses, which have been the means of "getting a great many girls into situations which they otherwise, perhaps, would "not have obtained. With regard to the boys, I am afraid that industrial "training has not been pushed so far with them as with the girls, simply for "the reason that the guardians have not had it in their power to extend it."

"Generally,"

" Generally," says Sir J. Walsham, " the schools now are doing all that I appre- 5608.
" hend the schools could be required to do. There is scarcely a rural union in my
" district in which they have not land for the boys, and in which some indus- 5855.
" trial training is not followed for the girls."

In the annual reports of the Inspectors of the Committee of Council there are frequent references to the progress of industrial training. In 1854, Mr. Ruddock reports: " There has been a gratifying increase in the number of unions giving 4259.
" the special industrial instruction to children in field labour. This improvement
" has been greatly facilitated by the consent of the Treasury to allow the salary of
" the labour superintendents to be repaid out of the Parliamentary grant." In 1859 he reports: " In very many cases land to an extent varying from one
" to twelve acres has been rented for the especial instruction of the children,
" and agricultural superintendents engaged. In other branches pauper workmen
" have been removed from the shops, and the boys have been employed under a
" respectable paid trade-master instead of being dependent upon the casual
" instruction of some pauper who might happen to know the trade. The girls
" have been instructed in washing and ironing in many more workhouses than
" has hitherto been the case, and, in the majority of them, under a respectable
" paid laundress." In the following year he says: " Greater attention is to be
" noticed in the industrial training of the children during the past year than I
" have been able to report previously. * * * There is a continuous increase
" of out-door industrial employment for the boys, by means of renting land
" and of employing paid agricultural superintendents." In 1849, Mr. Symons, another of the School Inspectors, reports: " I trace a great increase of effort
" to give employment with the spade. The proportion of boys thus employed
" has risen from 12 per cent. in 1848 to 22·23 per cent. in 1849, and it is still
" increasing. * * * For girls industrial employment exists much oftener than
" for boys." In the following year he says: " To a much greater extent than
" I ventured to hope, means for industrial training have been taken by the dif-
" ferent Boards of Guardians; and in 21 spade husbandry has been commenced
" with various degrees of completeness." Still later, in 1855, Mr. Symons writes: " Needlework is, with very few exceptions, taught very fai ly every
" where, and in some schools admirably. * * * I never now encounter fancy
" work. That which is done consists of making and mending the commonest
" garments for daily use. Precisely that sort of industry is taught to girls which
" will be of service to the wives of labouring men and domestic farm servants.
" * * * The school work prospers beyond my expectations."

The effect of this combination of industrial with intellectual education is described in the Reports of Mr. Hedley, Mr. Fraser, and Mr. Hare, three of the Assistant Commissioners who were appointed by the Royal Commission to inquire in several parts of the kingdom into the state of the popular education. The attention of Your Committee was drawn by witnesses, Mr. Coode, Mr. Doyle, and Mr. Lambert, to passages in those Reports which had been presented to the Royal Commission, speaking of the good effects of the industrial training which had been introduced into workhouse schools and the general improvement of those schools.

Mr. Fraser says:—

" While upon this part of my subject, I ought not to omit to notice the very
" satisfactory condition of many of the Workhouse Schools. I may particularly
" specify those at Dorchester, Cerne, Yeovil, Hereford, and Ledbury. Not only
" the intelligence and knowledge, but the healthy cheerful air of the children's
" faces and manners, impressed itself upon me very vividly. The instruction
" given is not ambitious in its range, but thoroughly sound of its kind; the
" writing, almost without exception, good; and the reading of the girls in the
" Hereford Workhouse, the best for articulation and freedom from provincialism
" that I heard in the country. It struck me that the condition of the Work-
" house Schools very nearly approached the ideal of what elementary education
" in this county, under our confessedly difficult social circumstances, ought to
" be,—perfectly unassuming, and perfectly in keeping with what the children's
" future career is likely to be.

" The teachers are rarely persons of what would be called high attainments,
" have not often even been trained; but the mistresses generally are motherly
" people of mature age, and they are all, in the instances I have quoted,

" evidently of strong common sense, and thoroughly understand what is pos-
" sible in their schools, and what is not. I would point to the mistresses
" at Dorchester, Cerne, Yeovil, and Hereford, as types of the sort of teacher in
" whose hands our mixed rural schools would be certain to succeed.

" I attribute the efficiency of Workhouse Schools chiefly to the operation of
" the following causes :—

" 1. The regularity of the attendance of the children. Every child in the house, unless sick, is certain to be in school.

" 2. The adequacy of the teaching power. The schools that I saw were all small, and without pupil teachers, but in no case with more than 20 children to the single instructor.

" 3. The unambitious character of the instruction given, which gives time for what is taught being taught thoroughly.

" 4. The mixture of industrial with mental work, the advantages of which I
" fully admit where the combination is possible. These children rarely receive
" more than three hours' culture a day.

" 5. The constant intercourse between the children and their teacher. They
" are thus out of the reach of (what are too often) the vulgarising and demo-
" ralising influences of home; hence, the pronunciation in the Workhouse
" Schools is very rarely provincial; and in most cases you can hardly believe,
" as you look on their happy trustful faces, that you have before you a set of
" pauper children, whose portion, both present and future, is generally assumed
" to be of all men the most miserable."—*Report of Assistant Commissioners*, vol. 2, pp. 89-90.

Reports of Assistant Commissioners, vol. 2, pp. 89, 90. 151, 152.

Mr. Hedley and Mr. Hare give evidence equally distinct as to the satisfactory condition of the workhouse schools visited by them in point both of intellectual and industrial education.

Your Committee cannot concur in the opinion expressed by some witnesses, that the advantages of this efficient intellectual and industrial education are, as a rule, seriously counteracted by the pernicious influence which is attributed to residence in workhouses. Your Committee do not find that in workhouses, where the classification is properly attended to, any such danger is to be apprehended. They could not ascertain that there was any sufficient ground for the strong statement made in the Report of the Royal Commission, that children in workhouses "learn from their infancy to regard the workhouses as their
" homes, and associate with grown-up paupers, whose influence destroys their
" moral character, and prevents the growth of a spirit of independence."
Although the conclusion is stated by the Royal Commission in this unqualified way, yet Mr. Senior, who drew this part of the Report, informed Your Committee that "some children regard workhouses as hateful, and some regard
" them as their homes. There is evidence on each side." Your Committee
6655. 6656. are unable to acquiesce in the broad allegation that the children associate with the grown-up paupers, or that any considerable proportion of them afterwards
12752. return to the workhouse. Mr. Gulson, the Poor Law Inspector of the West of England, says :—" I have not a Board of Guardians under my superintendence
" that would permit children to go to a washhouse or laundry in which women
" are employed; but they have provided washing accommodation and a laundry
" for the children in their own yards, and apart from the other inmates." To the same effect is the evidence of Mr. Coode :—

" 12980. *Chairman.*] Assuming that children require, in a workhouse, a
" greater amount of attention than they require when they are in smaller num-
" bers, do you not think that congregating and massing them together with
" persons of a very dissolute character in a workhouse, as is the case with regard
" to able-bodied women, must tend to a worse state of things than exists where
" there is no such congregation?—If it were to be assumed that the children
" are in promiscuous intercourse with them, that would be true; but I fail to
" find, in my own recollection, anything like the truth in that supposition. The
" way in which children associate with that class of women is only occasional; it
" is in carrying now and then a message from one part of the house to another;
" it is in making the beds when the women are not numerous enough, or strong-
" handed enough to do it; but, generally speaking, the children are separated
" from

" from that class; and it is an assumptiom which is not justified by facts, so far " as I am acquainted with them, that there is such a constant and habitual inter- " course as has been supposed, and which is believed to be so corrupting. Their " seeing or hearing a bad woman nobody can avoid, unless you put them into " something like a nunnery. In no situation in life in which poor children can " be acquiring such a practical education as will fit them to take their position in " that rank of life to which they are called, can they fail occasionally to meet " with people who are corrupt in their lives, and foul in their language; but " although it may occasionally occur that a child sees such a woman, and " although it may occur still less frequently that she hears her conversation, " such is not the practice in any workhouse that I know of, nor is it the practice " in any that is effectually under the operation of the consolidated order of the " Poor Law Board."

" 12981. Mr. *Lyall.*] It is only an occasional contact?—Yes; it is not habi- " tual, and it is not as constant, as the contact of the same children would be " with the same class of people if they were at large in their own homes, or if " they were in the more happy condition of being the children of poor, but inde- " pendent labourers."

Mr. Doyle says:—" I think you will find that the classification in the 4425.
" workhouses has been quite as strict as is necessary for the preservation of " the children, from what is called the contaminating influence of the work- " house." Mr. Lambert is asked, " Do you consider that the classification is " good in the workhouses; is it sufficient?—Generally speaking, I think it is " sufficient; I am speaking of the broad classification of the workhouse; that " is to say, the separating of children; the boys from the girls, and the adult " males and females from each other." Mr. Hawley is asked:—" With re- 5131.
" gard to classification, is it true that those children mix with the adults?" 5668.
He answers, " Perfectly untrue. You can speak with confidence about that " throughout your own district?—I speak with the most perfect confidence " about that."

From the facts communicated to us in evidence, Your Committee believe that children brought up in workhouses are readily taken into service or other industrial occupations, and that they retain their places as well upon an average as the children of other classes. That they do not return to workhouses is satisfactorily proved by the small proportion of them who are found at any one time amongst the inmates. Mr. Doyle states:—" The result of their educa- 4291.
" tion " [in workhouses] " is that the children turn out, upon the average, quite " as well as the children who are educated in district schools." " Mr. Hen- 4291.
" ley's return shows that not more than about 10 per cent. of them " [the children] " return to the workhouse when they have had the advantage of " a workhouse education for about two years." Question—" That shows, 4332.
" does it not, that such education as they get in the workhouse is attended " with advantage, and certainly not the contrary? It is attended with the " same advantage as in the district schools." " I understand you consider 4333.
" that there is nothing really contaminating in those workhouse schools? " I do not, but I should prefer to appeal to facts, which are stronger than my " opinion, that the children that have been in those workhouse schools for " a continuous period of two years, return to the workhouses in such small " numbers as quite to justify the conclusion that there is nothing contami- " nating in the influence of the workhouse." " Did I understand you rightly to 4569.
" say, that there was a difficulty in any district, in finding places of service for " children from workhouses? On the contrary, I have here letters from every " workhouse in my district, which disprove that notion. I put these two " questions to every workhouse in my district: 'Is there any difficulty in " getting children into service?' and 'Do they keep their places?' I have " answers from every workhouse in my district, if the Committee wish to hear " them; but the general result of them is that there is no difficulty whatever, and " that they generally keep their situations very satisfactorily." " Under this 4612.
" improved system of education have you ever known pauper children rise in life? " Scores of cases." " Mr. Weale, speaking of the 61 unions in his district, says: 4644.
" I found that out of those 66" [pregnant women in workhouses], " the num- " ber of those that were brought up for two years and above in the workhouse " schools was four only." * * * " Then I found 430 single women 4664.
" having bastard children in the workhouses, and of those 22 were brought up

"in workhouse schools. Adding the two together, that is, pregnant women "and women with bastard children, there were 496, of whom 26 only were
4665. "brought up in workhouse schools." "From the Return moved for in the House "of Commons, by Mr. Henley, I found that in the 10 years preceding the "date of that Return, 1,387 boys had been sent out of the workhouse schools, "and 1,170 girls. So I say there were 24 boys who had returned for mis- "conduct, that is 24 out of 1,387, and 95 girls out of 1,170." Mr. Lambert being asked, "Have you any information as to how they" [the children]
4668. "turned out?" answered, "I have a list of the names of all of them; and I re- "quested the clerk of each union to obtain the best information he could as to "the way in which they turned out by inquiry of the Guardians, by inquiry of "the Master of the Workhouse, and by inquiry of the Relieving Officer, and in "most instances, or at least in a very large number of instances, the clerks "have stated the result of those inquiries; and the result is shown by the fol- "lowing analysis: those who have turned out well, 998; moderate, 21; bad, "14; unsatisfactory, 31; married, 19; soldiers, 5; dead, 10; not stated or
5086. "known, 259; making up the 1,357." Mr. Hawley says: "Generally speaking, "all those with whom I have conversed state, and the conversations with the "guardians all tend to show, that the children have gone on admirably well in "their services, and that they have realised all the expectations which their
5612. "employers formed of them." "I constantly hear of them, because I frequently "make inquiries myself. I constantly hear of the success or otherwise of "those children who are placed out to service through Boards of Guardians, "and through the officers; and, generally speaking, the information that I "obtain is of the most satisfactory character, that they retain their places, and "do credit to the union school in which they have been brought up." Sir
5627. J. Walsham states: "I am prepared with statistics drawn from my own dis- "trict, to show that my district affords demonstration that the evidence given
5852. "before your Committee by Mr. Doyle, Mr. Weale, Mr. Hawley, and others, "is exactly borne out by the facts in my own district."

Mr. Tuffnell, formerly an assistant Poor Law Commissioner, and during the last 15 years Inspector of the Poor Law Schools of the Metropolitan District, in
12040, 12041. his evidence has stated to Your Committee, that it is a disadvantage for pauper children to live under the same roof with adults, and that district schools are decidedly the best that have been established for pauper children. In workhouse schools great difficulty exists in separating children from the adults, and preventing them from coming in contact with the latter; classification so
12084, 12085. perfect as to prevent the demoralization which goes on in a school when so large a number of adult paupers are retained under the same roof is almost impossible. The establishment of district schools would be more economical in the long-
12113. run, as the effect would be to cause a great saving, for the children would be brought up so as never to become paupers afterwards. He would give the
12103. Poor Law Board compulsory power to establish district schools in town districts.

He despairs of ever seeing rural Boards of Guardians adopt the district
12129. school system; though he thinks it desirable for girls to remove them from workhouses, and therefore would recommend that they should be sent, when practicable, to industrial training schools, like the Brockham Home or other institutions of a similar character, as in many of the rural workhouses the girls
12134. cannot get effectually trained for service.

Mr. Farnall, at present Poor Law Inspector of the London District, and for many years an Inspector in the Country, observes in his evidence before Your Committee, with reference to the advantages of children brought up in district or separate schools and those in workhouses, that the training in a separate school, large or small, is always considerably better than the training within a workhouse, because in the workhouse the children are so much interfered with
6453 to 6465. by their mothers, whose characters are generally bad; that "we find that we "cannot manage the children in consequence of that interference of their "parents, and in fact the circumstances of the children being in the house at all "is very detrimental to them." Having had four districts altogether, a portion of Wales, the Midland Counties, Lancashire and Yorkshire, and the Metropolitan District, he could say that after a lengthened period of service that the whole of the education which is carried on in the workhouses is very inferior to that which is carried on in schools out of the workhouses: and that consequently

quently they return more frequently to the workhouse as their home. It has an injurious effect upon the boys also, who mix often with the males out of school, many of whom have led very dissolute lives; that it would be good economy to wean the young blood from pauperism in its infancy; at the same time he did not wish for any compulsory measures, but to leave it to the good sense of the gentry, the magistrates of the district, and others who might attend the Board of Guardians.

The recommendation of the Royal Commission "to compel by law the "general establishment of district and separate schools," was approved of to its full extent by only one witness, Mr. Senior. The evidence received by your Committee by no means established the conclusion that large district schools are more successful than well-managed workhouse schools. But whatever may be the advantage of these schools, nearly all the witnesses examined by Your Committee concurred in stating that they were chiefly adapted to populous places, and that the compulsory establishment of them would be impracticable in thinly-peopled or agricultural districts. It appears, however, that they have been already established for nearly the whole of the metropolis, and three other places.

The proposal of the Royal Commissioners to compel guardians to insist upon the education of the child as a condition of out-door relief to the parent, and to pay for this education out of the poor's rates, was also considered by Your Committee. This proposal is, in fact, to make compulsory the provisions of the Act, known as "Denison's Act," which gives power to Boards of Guardians to pay out of the poor's rates for the education of the children of out-door paupers. The objection to the principle involved in this proposal was pointed out by Mr. Lumley. That objection is thus put by Mr. Coode: "The simple object to be regarded in the "giving of all relief I take to be the present necessities of the person applying for relief. Now, to put any condition whatever upon the administration "of that necessary relief is practically to deny the relief if that condition is not "complied with; but to put a remote object like education forward as your "plea for not giving relief which is at present wanted, is to cut up root and "branch the whole object and principle of the Poor Law, which is to relieve "immediate and present destitution by direct and certain means." 12575. 12587. 13,044.

All the witnesses who have had experience in the administration of Poor Laws, concur in representing the proposal to make "Denison's Act" compulsory as being impracticable; relief to able-bodied out of the workhouse being generally given on account of sickness, in which cases the proposed condition could not be enforced, and the same remark applies generally to the casual poor who are not able-bodied. It was also very strongly urged that the proposal was unnecessary; a view supported by the evidence of Mr. Fraser, Mr. Patrick Cumin, and Mr. Coode, three of the Assistant Commissioners appointed by the Royal Commission to inquire into the state of Education.

Mr. Fraser says:—

"For the education of the children of persons receiving out-door relief, I did "not meet with a single instance of provision being made by the guardians of "the several unions. Yet I believe the children are as generally under instruction "as the children of non-pauper parents." Mr. Patrick Cumin reports, "The very "poorest class in the community are the out-door paupers. Every single case "of out-door relief has been investigated by the relieving officer, who has "satisfied himself that they are persons entitled to relief. Yet the desire for "education is such, and the power of providing for education is so great, "that even that class is prepared to select the best school, and to pay 1 *d.* or "2 *d.* a week for the education of their children." "Wherever," says Mr. Coode, "there is a National or British school, or any of those schools under "the Committee of Council, such facilities are given for the education of "children, their school fees are so dispensed with, and such arrears are allowed "to run up, that parents who are willing to send their children to school are "never obliged to keep them from school in consequence of their inability to "pay the school fees." 4500. 4501. 4502.

It was further stated to Your Committee, that wherever Guardians have interfered to pay the school fees, "a less number of children, in proportion "to the population, attend the day schools than in those unions where the "Guardians do not interfere at all." 4506.

The attention of Your Committee was called to the 51st section of the 7 & 8 Vict. c. 101, and to the 6th section of the 14 & 15 Vict. c. 105, which restricts to 20 miles the distance within which pauper children may be sent from other unions to a district or separate pauper school; and having regard to the provisions of the 25 & 26 Vict. c. 43, which contains no such restriction with respect to industrial schools supported by voluntary contributions, and which have been certified by the Poor Law Board, Your Committee think that the restriction in question may now be properly repealed, subject to such regulations as the Poor Law Board may deem necessary.

After carefully considering the whole of the evidence upon the subject of Pauper Education, Your Committee have agreed to the following Resolutions, viz.:—

That, making reasonable allowance for the low condition, physical, moral, and mental, of a large proportion of the children when they first enter workhouses, and for the necessarily frequent changes in their admission and discharge, the state of workhouse education is upon the whole satisfactory in its character and result.

The Committee think that it would be inexpedient, and in many cases impracticable, to enforce the general establishment of district or separate schools; but they are of opinion that schools entirely distinct from the workhouse should continue to be encouraged as being attended with beneficial results to the children, and affording the most effectual means of separating them from the other classes of paupers.

The proposal of the Education Commissioners to compel Guardians to insist upon the education of the child as a condition of out-door relief to the parent is, in the opinion of Your Committee, inconsistent with the principles upon which the relief of the poor is established.

That the 6th Section of the 14 & 15 Vict. c. 105, restricting to 20 miles the distance within which children may be sent to a district or separate school from other unions, be repealed or altered, so as to admit of children being sent to such schools from a greater distance than 20 miles, subject to such regulations as the Poor Law Board may make.

Classification in Workhouses.

Although your Committee took no special evidence on the subject of classification in workhouses, except with reference to children, yet in the course of their inquiry they found that, in some instances, no arrangement existed for the separation of women of notoriously bad character from the other female inmates: the result being that in those cases the able-bodied women are all placed together, so that any girl after 16, who loses her place in service, or who from some accidental and innocent cause, has no other refuge than the workhouse, might, although previously uncorrupted by vice, be brought into contact with the worst characters.

11712. 11724. 5017.

By Article 98 of the General Consolidated Order, it is provided that the paupers, so far as the workhouse admits thereof, shall be classed as follows:—

Class 1. Men infirm through age or any other cause.
Class 2. Able-bodied men, and youths above the age of 15 years.
Class 3. Boys above the age of seven years, and under that of 15.
Class 4. Women infirm through age or any other cause.
Class 5. Able-bodied women, and girls above the age of 15 years.
Class 6. Girls above the age of seven years, and under that of 15.
Class 7. Children under seven years of age.

And Article 99 contains an express direction that "The Guardians shall, so "far as circumstances will permit, further subdivide any of the classes enume- "rated in Article 98, with reference to the moral character, or behaviour, or "the previous habits of the inmates, or to such other grounds as may seem "expedient." In the instructional letter which accompanied the order, the

Poor

Poor Law Commissioners state that "It is very desirable that females of disso-
"lute and disorderly habits should be separated from those of a better character,
"inasmuch as it is the duty of the Guardians to take all reasonable care that
"the morals of the house be not corrupted by intercourse with inmates of this description."

It is impossible to conceal the fact that the difficulty which now exists in securing that proper provision shall be made for such a separation as that contemplated, frequently arises from the indisposition on the part of Boards of Guardians to incur the necessary outlay for that purpose; and it appears that the power conferred upon the Central Authority by the 4 & 5 Will. 4, c. 76, sect. 25, to order workhouses to be enlarged or altered, without the consent of a majority of the Guardians, is crippled with such a restriction as to be practically inoperative.

Your Committee, however, are clearly of opinion that workhouses should admit of such arrangements that females, not driven there by the consequences of a vicious life, should not necessarily be brought into contact with those of a depraved character; and they recommend that, in order to meet those cases where the Guardians neglect, or refuse, to comply with the direction contained in Article 99 of the Consolidated Order already quoted, the power conferred upon the Central Board shall be so far extended as to be rendered effective.

Another circumstance referred to by some of the witnesses, with respect to the question of classification, is that, for want of proper accommodation in the workhouse infirmaries, the children are very frequently associated with the adults and aged paupers of each sex. Mr. Hawley says, "The 5740.
"sick children are often placed in the general hospital with the adults, and this is
"decidedly objectionable. This is a defect which I should be glad to see reme-
"died by the provision of separate sick wards for the children." In reply to the question, "Do you think the workhouse management is capable of 5155.
improvement?" Mr. Lambert states, "In some individual cases certainly it is
"capable of improvement; there is one point, particularly, which I would men-
"tion with regard to the children; in many workhouses there are no separate
"sick wards for the children, and I believe that more mischief is done by removing
"the children into the ordinary sick wards than from any other cause in the
"workhouse. It is very desirable indeed that more sick wards should be provided
"in workhouses, especially sick wards for children, so that they should not be
"placed with the adults, which certainly is an objectionable arrangement. In
"many instances they are placed with sick adults; and I have heard schoolmasters
"say that it is impossible to estimate the amount of mischief that is done by
"bringing them into contact with that class."

Your Committee consider that the defects to which they have adverted are worthy of serious attention; and, with the view of providing for a more complete classification of the inmates of workhouses, they have agreed to the following Resolution; viz.:

> That it appears to Your Committee, that in many cases the union workhouses are insufficient for the purpose of the proper classification of the inmates; and Your Committee consider it desirable that greater power should be given to the Central Board than that which they now possess, to require Guardians to make adequate arrangements for such classification.

Casual and Houseless Poor in the Metropolis, and Vagrants.

There is, probably, no branch of Poor Law administration which, for some years past, has been attended with so much difficulty as that of providing in a satisfactory manner for the relief of the casual poor of the metropolis; and the subject has been brought under the notice of Your Committee in connexion with the question of metropolitan distress, and the extension of the area of rating.

It is inseparable, from the condition of so vast a city as London, with its millions of inhabitants, of every rank and condition, that it should not have within itself a large floating population, wandering about in search of employ-

ment or a home, or that it should not attract from the rest of the county a considerable number of adventurers of all sorts.

4326. A witness examined before the Committee, Mr. W. Gilbert, one of the honorary secretaries of the Society for the Relief of Distress in the Metropolis, estimates the average number of London tramps at 12,000; and although his *data* are anything but conclusive, there can be no doubt that the number of persons who depend upon the chance earnings or alms of each day to provide them with a lodging at night must be very great.

In dealing with such a class, three important considerations have to be attended to, viz.:—

(1). That every destitute applicant shall be suitably relieved;
(2). That the relief shall be upon a uniform system; and
(3). That in administering that relief no encouragement shall be given to vagrancy.

The first condition fulfils the duties of humanity; the second prevents particular parishes from being burthened with an undue number of cases; and the third protects the public from the evils of indiscriminate and injudicious relief.

With the view of satisfying these conditions, the Legislature made provision by the 7 & 8 Vict. c. 101, for the establishment of district asylums for the temporary relief and setting to work of the houseless poor of the metropolis and some other large towns. According to the evidence of Mr. Lumley, that

12600. Act "was put into operation to this extent, that the Poor Law Commissioners "formed districts, and gave directions for carrying the Act into execution, but "the authorities rejected it, and a Parliamentary Committee sat upon the "subject and heard evidence during a whole session. They separated, however, without reporting either favourably or adversely to the scheme, and "therefore it dropped."

It appears that in 1858 the Poor Law Board addressed a circular to the various Boards of Guardians in the Metropolis, pointing out at length the serious defects which continued to exist in the administration of relief to vagrants and houseless poor, accompanied with a scheme for dividing the whole Metropolis into six asylum districts. This proposal was, however, objected to by a large majority of the Boards of Guardians; and as the Poor Law Board were not vested with the requisite powers for enforcing the establishment of the asylums contemplated by the Act, no further step was taken by them to effect the object proposed by their circular.

With reference to the want of accommodation for the houseless poor in several of the parishes of the metropolis, a good deal of information was given to Your Committee by Mr. W. Gilbert, from whose evidence the following are extracts:—Speaking of the inadequacy of the provision at Paddington, he

4202. says, "My attention was especially drawn to it about one o'clock in the morning, "a few days before Christmas-day, in finding a poor creature at the furthest "extremity of Kensington Gardens making his way towards Kensington. He "was a man completely broken down; he could hardly drag himself along. "—*Chairman.* Some old man?—*Witness.* Yes. I asked him where he was

4203. "going, and he said that he was going to Kensington workhouse to see if he "could get shelter for the night. I asked him why he did not stop at Paddington, and he said that a policeman had told him that there was no casual ward "in Paddington workhouse, and therefore he was going to Kensington to seek "relief. I inquired whether there was a casual ward in Paddington, and was

4205. "told there was not. . . . . In passing by the workhouse of St. George's,

4212. "Hanover-square, on Christmas-day, after that intensely cold night, I found "two placards outside the workhouse stating that their casual wards were closed; "and although I knew that that had been the case for some years past, yet I "thought that in such a winter as last winter some further accommodation "might have been made for their relief. . . . . I determined to trace the

4213. "question to its source, and I went to Kensington workhouse, which is in my "own parish, having seen tramps, or people worn out, walking down on summer evenings to get to that workhouse. I asked the master of that workhouse whether he had had many during the winter; he said 'No;' that all "whom they received were those driven from Paddington and St. George's, "Hanover-square, but that in winter those men applied to private charity for "relief;

"relief; and that, therefore, in Kensington in the winter they received very "few, but that in the summer time they had a great many; that they received "in the summer time all those of St. George's, Hanover-square, and Paddington. ". . . . In the City of London Union, comprising 98 parishes, there is no "casual ward. . . . . The casual ward is at Bow, three miles off." 4256. 4257.

Your Committee, having referred to the defects in the existing state of the law and its administration, will now advert to the remedial measures which, in their opinion, should be adopted. In the first place, it is obvious that, under the present system, the guardians who may be desirous of providing proper casual wards are discouraged from doing so, because they feel that they would thereby attract the casual poor of all the adjoining parishes in which there is no such accommodation. This objection, accompanied with a strong disinclination to increase parochial expenditure, has no doubt caused and perpetuated the evils which have been referred to; and one of the objects of the Act of the 7 & 8 Vict. c. 101, was to remove these obstacles by providing that the cost of erecting the proposed district asylums, and of relieving the poor received into them, should be borne by a rate levied upon the whole of each district, according to the assessable value of the property in the several parishes of which the district was composed. In this instance, therefore, the Legislature has sanctioned an extension of the area of rating for the relief of the casual poor; and it is worthy of remark that the principle of exempting individual parishes from the cost of relieving destitute wanderers and wayfarers has been subsequently recognised by the 11 & 12 Vict. c. 110, which has cast such relief upon the common fund of the union. Your Committee have no doubt that the Guardians would be quite willing to make effectual arrangement for the relief of the casual poor, provided the burthen was equally distributed, and it is evident that, in that case, the expense would be so insignificant as not to be felt. It will be seen by the Poor Rate Return presented to the House in 1856, that the rateable value of the property in the metropolitan district at that date was 10,720,000 *l.*, and as the highest number of vagrants relieved on any one night in 1862 was 613, the total cost of relief of that class per annum, assuming that number to require relief every night throughout the year, at 6 *d.* a head, would amount to 5,517 *l.* or one-eighth of a penny in the pound.

It appears, however, by the Report on Metropolis Local Taxation in 1861, that the rateable annual value of the district had risen to 12,450,416 *l.*, upon which the cost would amount to one-tenth of a penny only in the pound. Having regard, therefore, to these considerations, Your Committee think that the cost of relieving the casual poor of the metropolis should be made a common charge on the whole district.

Before proceeding to suggest a plan for collecting a rate for this purpose, the Committee wish to advert to two obvious objections which existed to the plan of district asylums under separate management from the other poor of the metropolis. In the first place, an enlarged area necessarily increases the difficulty of rendering prompt succour to urgent cases, especially at night; and, secondly, the actual expenditure for the relief of this class of the poor is scarcely sufficient to justify the establishment of several district Boards of Management. In order to meet these objections, Your Committee propose that the administration of relief to the houseless poor should still rest with the guardians, and that sufficient and proper wards, or buildings, should be provided for their reception in every union or parish under a separate Board; but, at the same time, it is essential to this scheme that the Central Authority should be authorised to require the Guardians to provide, in every instance, such accommodation, and to direct that the relief of this class shall be managed upon a uniform system throughout the entire district.

With respect to raising the requisite funds by an equal contribution from the whole area, Your Committee find that the district of the Metropolitan Board of Works is conterminous with the area, which, in their opinion, should contribute to the fund in question; and inasmuch as the Metropolitan Board are already furnished by the Metropolis Local Management Act with a very complete machinery for levying an equal rate or contribution from their whole district, Your Committee think that an arrangement, to be sanctioned by the Legislature, might easily be made empowering that Board to provide in their contribution orders for the funds which would be required for the relief of the houseless poor. Your Committee do not deem it necessary to suggest all the details by which this

plan may be carried into effect: but it appears to them that the auditor might without difficulty ascertain at each half-yearly audit the amount expended by each union or parish, and upon his certificate being sanctioned by the Poor Law Board, the Guardians should be entitled to receive from the Metropolitan Board the sum so expended.

Another point to which Your Committee are desirous of directing attention is, that by Section 53 of the 7 & 8 Vict., c. 101, police constables in the Metropolis were empowered to conduct any poor person found wandering abroad, apparently destitute, and not having committed or being charged with any offence punishable by law, to any Asylum established under that Act; and Your Committee find from a Minute issued in December last by the President of the Poor Law Board, and since presented to the House, that in several parts of the country arrangements have been made with the police to undertake the duties of assistant relieving officers of vagrants, and that the adoption of that plan has been attended with very beneficial results.

See Appendix.

In further corroboration of this view, Your Committee refer to the following extract from the Report of Major General Cartwright:

Police (Counties and Boroughs), Sess. 1863.

"Relief to vagrants has each year been reported upon; and deeply impressed with the great advantage of placing this duty in the hands of the police, I venture again to bring it before the public. The appointment of trustworthy police officers to administer the tickets to the applicants for vagrant relief has been largely extended during the year throughout the district, and, as it becomes more universal, it proves itself to be more beneficial. The year, however, has been very trying to the system, as the number of erratic population has been enormously increased by the distress in the manufacturing districts: this has, in many cases, been the means of an increase in the number relieved over that of last year; but all who have been relieved have shown their claim to it through the investigation of an intelligent officer, always ready impartially to enter into the case of any poor destitute wayfarer who may apply for relief. On examination of the books which are kept, I find very few of the old professional mendicants entered, and, on inquiry, I also find that they diminish in number at the low lodging-houses. There is, however, a difficulty in the working of the system where the assistant relieving officers reside at some place at a distance from the workhouse. In order to meet this difficulty, the Board of Guardians grant the police officer the power of giving tickets to some selected common lodging-house, which is under his superintendence, so that the relieved applicant, although not in the tramp ward, shall remain under police supervision. Another difficulty springs up in those who occasionally apply to the police officers at so late an hour as not to be admitted to the tramp ward at the workhouse, which can only be met by the discretional power of the assistant relieving officer who, when he finds the case one of emergency, should have power to give a ticket to the nearest selected lodging-house. This point, however, requires to be strictly guarded, as I have found the vagrants remaining till late at night on purpose to obtain the ticket to the lodging-house, in preference to the tramp ward. Every case of this sort should be perfectly sifted, and be left to the discretion of the relieving officer. These two difficulties being overcome, as far as practice informs me, nothing can be acting better than this system, both to the destitute wayfarer or the public; the former when in distress, and want of relief, immediately obtains it, the latter are protected by proper examination from the imposition of the professional mendicant. In order, however, fully to carry out the advantages of the measure, forbearance on the part of the indiscriminate alms-giver, and infliction of deserved punishment in cases proved to be bad when brought before the magistrates, is of the greatest importance."

It appears to Your Committee that by authorising police constables to act as assistant relieving officers for the wandering and houseless poor in the Metropolis, and throughout the country generally, greatly increased facilities would be afforded for promptly relieving urgent cases, especially at night, whilst at the same time the knowledge possessed by the police of many of the applicants would operate as a further check to imposition.

For the reasons already stated, Your Committee are induced to submit to the House the following Resolutions, viz.:—

That, in order to secure sufficient and convenient means for the relief of the

the casual and houseless poor within the metropolis, as defined by the Metropolitan Local Management Act, it is expedient that the charges incurred for the support of such poor should be paid out of a rate assessed on the annual rateable value of the whole of the said metropolis.

That, in the opinion of this Committee, the machinery adopted under the Metropolitan Local Management Act might be made available for raising the amount of such charge, and Your Committee recommend that authority be given to the Metropolitan Board of Works for such purpose.

That the Poor Law Board be empowered to prescribe and enforce all necessary arrangements for providing the requisite accommodation in the several unions and parishes, and otherwise carrying the foregoing resolutions into effect.

That, with the view of suppressing vagrancy as far as practicable, the Committee are of opinion that the central authority, when invested with adequate power for that purpose, should direct Boards of Guardians to provide suitable and sufficient wards for the reception of the wayfaring and wandering poor, and that the regulations for their management and relief should be on a uniform system throughout the country. The Committee approve of the employment of police constables as assistant relieving officers for vagrants, and think it desirable that the arrangement should be generally adopted.

Equalization of the Poor Rate.

Mr. Robert E. Warwick, the secretary of the Society for the Equalization of the Poor Rates, furnished to the Committee a paper on this subject, in which he shows the inequalities which prevail throughout the country in the poor rate,—the rate in the pound on the annual value of rateable property ranging from one farthing to 14 *s.* in the pound. Illustrations of these inequalities are chiefly drawn from metropolitan parishes. Mr. Warwick maintains that the "operation of the existing Poor Laws is to relieve the ratepayers of the rich "parishes, and to cast the burden of supporting the poor on those parishes, the "ratepayers of which are for the most part but a shade removed from pauperism "themselves." 8141. Appendix, 1862, No. 6.

He denies that the equalization of the rates is a landlord's question, and that high rates produce low rents, and maintains that the poor man living in the high-rated parish pays a far greater rent in proportion for the accommodation he receives, than the wealthy inhabitant of the high-rated parish; that high rates produce high rent.

Mr. Warwick refers to several schemes for effecting an equalization of the rates. The first is a plan submitted by Lord Malmesbury to a Committee of the House of Lords, in 1850, (*see* Lords' Report on Parochial Assessments, Sess. 1850,) for converting the poor rate into a species of property tax.

The next plan is a national rate, levied on the real property of the country.

To both of these plans Mr. Warwick objected, because they would involve the necessity of placing the relief of the poor in the hands of the Government, depriving ratepayers and guardians of self-government and local control. Another plan, and one which he considers deserves very serious consideration, is that of union rating.

The objection to the plan, in his opinion, is, that it would supply no relief to the large metropolitan single parishes. But to remove that objection, he proposes to relieve such parishes by a grant voted by Parliament in the same way as the salaries of schoolmasters, auditors, and several other expenses are provided for; or, a rate in aid could be levied upon those parishes which are below the average. But this, he thinks, would be attended with some difficulty.

Another plan, and one stated to be very popular in London, is "that the "metropolitan districts should form one county, for the purpose of raising "funds for the relief of the poor, and that then union rating should take place "for the rest of the country."

The last plan he notices is that of county rating, which he is convinced is the best. He points out the advantages that would, in his opinion, attend this plan, and supplies some details for carrying it out. He states, however, that while he thinks this plan the best, he will not say that "some others may not "be adopted quite as good, or perhaps better."

This proposal for establishing county rating, treating the metropolis as a separate county, was supported by the evidence of Mr. William Gilbert, the chairman of the Society for the Equalization of the Poor Rates; the Rev. George H. McGill, incumbent of St. George in the East; Mr. Edward Collinson, chairman of the Board of Guardians of St. George the Martyr, Southwark, and Mr. John Day, assistant overseer and vestry clerk of the same parish. Mr. Day
7617. says, "the provisions of the original Poor Act (43d of Elizabeth), contemplated
7619. "that the richer parishes should assist the poorer." . . . "I am glad to "find that the Legislature have recognised the principle that the common "charges in unions should be borne by the parishes according to their rateable "value; unfortunately, however, the Act does not apply to parishes not in "union."

Mr. Deputy Pilcher, chairman of the East London Union, another witness, says, "I think it would be advisable to take a limited area at first, and "extend it gradually; but I think if it could be effected at once to have a "metropolitan rating, to include the whole of the metropolis, it would be "exceedingly desirable, inasmuch as we should by so doing get rid of a great "many expenses, such as expenses attending questions of settlement, removal
8589. "of poor, establishment charges," &c.

Mr. John Bowring, clerk to the guardians of the City of London Union, says, "I am quite prepared to equalize the rates to the extent of union area, "because the administration of the rate and the representatives of the rate-"payers would be coincident." . . . "If the poor rates of the City Union, "for instance, were equalized, no doubt there would be the same substantial "relief given to the poor, but the distribution of the rates would be thrown
8375. "upon the property of the district, whose representatives form the adminis-
8376. "trators of the relief." . . . "I would make the City Union one parish in-"stead of 98." . . . "I think that when the guardians and ratepayers "fully understood the subject, and saw the bearing of it, they would see that "there is in reality no reason why there should be 98 areas for poor rates "within an area of 434 acres, any more than that there should be in St. Mary-
8380. "lebone, which is, perhaps, four times the size, and has but one rate."

Mr. John Adamson, clerk to the guardians of the Salford Union, is of opinion that the whole union should be one for the purposes of rating, of charges,
597, 598. and of election of guardians, and should not be divided into distinct parishes.

Mr. William Wilde, chairman of the Court of Governors and Guardians of Norwich, who complained of the burden thrown upon Norwich, which is surrounded by an agricultural district by the operation of the Irremovable Poor
9100. Act, said, "One remedy which we wish to suggest would be, although I am "afraid it would scarcely be listened to from me if I take upon a large scale, "but one remedy would be to have a national rate; but the next to that would "be a county rating; and next to county rating would be taking in the parishes "immediately around Norwich, who are benefited by Norwich to a very large
9127. "extent." He would "include the four unions that are immediately abutting "upon Norwich, the Blofield Union, the Henstead Union, the St. Faith's Union,
9130. "and the Forehoe Union."

Mr. John Godwin Johnson, late governor of the Court of Guardians of Norwich, and a guardian for nearly 40 years, stated, "I think that each place "should relieve its able-bodied poor, and that the permanent poor of the "country should be upon a uniform rate all over the country. There might be "objections to putting them upon the Consolidated Fund, though it would "come to the same thing in the end; but I think that the permanent poor "should be supported by a uniform rate; that there should be no temptation "to remove them from one place to another, but that their wants or necessities "should be provided for where people, from their own knowledge, felt that they

"would

"would be best provided for." "I see no reason why we should not adopt the "principle in its broad extent, that all property should contribute to the main- "tenance of the poor, as well as house property and landed property. I think "that all accumulated personal property should contribute to the maintenance "of the poor." 9236. 9243.

It will be observed that considerable difference of opinion exists among the witnesses who have been examined on this subject. They all point to an extension of the area of rating, viz.: either to the whole country, the county, the metropolis being treated as a county, a district of unions, or the union. It does not appear that extending the area to the union would deprive the ratepayers of control over the expenditure, as the Guardians are their representatives, and are elected annually.

"If the nation were to pay and the guardians to spend, I see no limit," observes Mr. Lambert, Poor Law Inspector, "to the expense." 5581–2.

To the extension of the area of rating from the parish even to the union, some objections deserving attention were urged by Mr. Lambert, who stated, however, that he should like to see what the operation of the 24 & 25 Vict. c. 55, would be before giving an opinion upon union rating generally; and he has since delivered in a memorandum, in which, after assigning various reasons which have induced him to modify very considerably the views which he had expressed previously to that Act coming into force, he goes on to say, that having regard to the growing opinion amongst Boards of Guardians in favour of union rating, and also to the serious inconveniences arising from the administration of relief from two separate sources, without, as it now appears to him, any corresponding advantages, he is disposed to concur with those who are of opinion that the costs of maintaining all classes of the poor may be thrown upon the Common Fund, without serious risk to the due and economical administration of relief. 5565. *See* Appendix.

The objection to extending the area of rating on the ground that it would lead to extravagance, must apply less to union rating than to any of the other schemes proposed, all of which contemplate a much larger area for contribution; and it must be borne in mind, that in passing the Poor Law Amendment Act the Legislature has decided that the union shall be the territorial division by which the relief is to be administered. The parish was retained by that Act as the division according to which the charge was to be distributed, but that principle has been largely encroached upon by the various subsequent statutes, which have thrown the cost of maintaining the irremovable poor upon the Common Fund of the union, and especially by the Act of the 24 & 25 Vict., c. 55, already referred to, which not only shortened the period of acquiring a *status* of irremovability from five to three years, and extended the area within which it might be acquired from a single parish to the whole union; but provided that the Common Fund, out of which that class of poor are maintained, should be distributed over the several parishes of the union according to the annual rateable value of the property therein.

To make the union, instead of the parish, the element for the charge of relief, as well as for regulating its administration, would only be following out a step further the principle of the Poor Law Amendment Act itself, which empowers the Guardians, with the consent of the Poor Law Commissioners (*see* Sects. 33 & 34), to agree that the whole union shall be considered as one parish for the purpose of settlement and of rating. These sections, however, have been found practically inoperative, except in one or two cases, as they require the consent of all the elected guardians before any such arrangement can be made. This point was adverted to by Mr. Bowring, who suggested "the propriety of giving the power to some majority of the Guardians, "either a bare majority, or three fourths or three fifths, or some given proportion. "* * * If the union consists of 100 Guardians (the City of London Union "has 101), it is perfectly clear that you never can get 100 consents, but if it were "four fifths, or three fourths, or any particular proportion, then the Guardians "might carry that which would be beneficial." 5333. 5338.

Although much of the inequality which has been shown to exist as between parish and parish within the same union will now be obviated by the operation of the Irremovable Poor Act of 1861, and that inequality will be further

lessened by the adjustment of the parochial rates under the provisions of the Union Assessment Act of 1862, Your Committee are unable to regard that result as furnishing any reason against equalizing the charge of maintaining all classes of the poor over the several parishes of the whole union. On the contrary, it appears to them to have removed one of the greatest obstacles to the adoption of such a measure. It is proper, however, that Your Committee should point out that the advantages which have been conferred upon the country generally by the two Acts just referred to have not been participated in by many largely and densely populated single parishes in the metropolis not in union, which, so far from being benefited by the Irremovable Poor Acts, are now oppressed by additional poor, who but for those Acts would have been removable; and they have to add, that whatever importance may be attached to the impression entertained by some that in the rural districts the settled poor are better cared for than the others, this argument is certainly not applicable to the metropolis, inasmuch as persons are there employed without any consideration to their becoming chargeable, and in the case of labouring men their place of abode is very frequently in some other parish than that in which they are employed; and with respect to the alleged injustice to a person who has acquired property in a low rated parish being called upon to contribute to a neighbouring one more heavily burthened, it has been urged that there is an equal injustice committed, especially in the poorer parishes of the metropolis, where persons who have taken property find, from circumstances beyond their control, their rates and expenses rapidly increasing; the circumstances referred to being the destruction of whole districts by street improvements, railways, and other large works, whereby the working poor are deprived of their dwellings, and necessarily driven to find them in places already impoverished.

Your Committee are fully sensible of the difficulties which exist in dealing with this part of the inquiry, but looking to the great importance of the subject, and being convinced that the necessity of a further alteration of the law will daily become more pressing, they agree to the following Resolutions, viz.:—

That much evidence was adduced showing the unequal pressure of the charge for the relief of the poor in different parts of the metropolitan district; and various plans were submitted to Your Committee for the equalisation of the poor rate; and Your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the metropolis are so peculiar, that in any legislation to extend the area of charge or management, it would be necessary to have regard to those circumstances.

That any measure for the extending of the area of rating should, in the opinion of the Committee, embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union.

Your Committee have come to the following Resolutions on various points connected with the present state of the law and its administration, and have agreed to report the same to the House:—

Metropolitan Distress in 1860-61.

That with respect to the extraordinary prevalence of distress in the metropolis in the winter of 1860-61, to which the attention of Your Committee was particularly directed, they received strong evidence that the duty of relieving such distress could have been relieved by the Poor Law authorities, inasmuch

inasmuch as the legal machinery of administration was sufficient, and the Guardians possessed the requisite powers for raising the necessary funds for the purpose; but the legal charge would have pressed very heavily on some parishes within the metropolis.

The regular action, however, of the Poor Law was, to a considerable extent, rendered unnecessary by voluntary contributions; and however desirable it is that in great emergencies destitution should be relieved by spontaneous charity, Your Committee find that, on the occasion in question, evils resulted from the want of a sufficient organization for the investigation of the cases of the persons relieved.

Continuance of a Central Authority.

That the continuance of a Central Authority is essential for securing the due and uniform administration of the laws for the relief of the poor; and Your Committee are of opinion that it would contribute to its efficiency if it were placed upon a permanent footing.

Power of the Poor Law Board to Issue General Orders.

That the power of issuing General Orders now possessed by the Poor Law Board is salutary and useful, and should be continued.

Continuance in Office of Paid Officers.

That in order to secure the due discharge of their duties by the principal officers of unions and parishes, it is, in the opinion of Your Committee, essential that their tenure of office should not be terminable without the concurrence of the central authority; and it is not expedient, therefore, that the power which the Guardians already possess of dismissing the subordinate officers should be further extended.

Superannuation of Paid Officers.

That it was shown to Your Committee that inconvenience resulted from the continuance in office of persons, who, by reason of infirmity of body or mind, had become incapable of efficiently discharging their duties, but whose removal had been postponed from personal considerations; and Your Committee therefore recommend that a power should be conferred upon Boards of Guardians to provide at their discretion for the superannuation of certain union officers, the exercise of such power to be subject to the control of the central authority.

Medical Relief.

That there are no sufficient grounds for materially interfering with the present system of medical relief, which was made the subject of special and lengthened inquiries by Select Committees of this House in the years 1844 and 1854.

The recommendations of those Committees were for the most part carried out by the orders of the Poor Law Board, and the system of medical relief appears to be administered with general advantage. Your Committee, however, recommend that in future cod-liver oil, quinine, and other expensive medicines shall be provided at the expense of the Guardians, subject to the Orders and Regulations of the Poor Law Board.

Audit of Union and Parish Accounts.

That the Committee, having regard to the recommendation contained in the Reports of the Select Committee of this House on the Poor Law Amendment Act in 1838, and of the Committee of Inquiry appointed by the

the Treasury in 1852, and also to the anomaly now existing of the appointment of the auditors being vested in the Chairmen and Vice-chairmen of Boards of Guardians, consider that the power of appointing District Auditors should in future be vested in the central authority. The Committee are further of opinion that the time of those officers when appointed should be wholly devoted to the public service, and that with this view their numbers should be reduced as vacancies occur, and the vacant districts incorporated with others.

That the Poor Law Board should be invested with power to define the incidental expenses incurred by Guardians which should be charged on the rates.

Unions and Parishes under Gilbert's Act and Local Acts.

Your Committee are of opinion that it is necessary to the uniform action of the Poor Law, that the Central Authority should have the same powers in unions and parishes now acting under local statutes, or under the Gilbert Act, as in unions or parishes constituted under the Poor Law Amendment Act.

Religious Rights of the Inmates of Workhouses and District Schools.

That, with the view of giving full effect to the obvious intention of the Legislature in regard to the religious rights of those inmates of workhouses and district schools who are not members of the Church of England, Your Committee recommend as follows:—

That there shall be kept in all workhouses and in all district and separate pauper schools, a creed register, separate from other registers, which shall be open to the inspection of all clergymen and ministers of religion officiating within the union.

That any such clergyman or minister shall be at liberty, subject to regulations sanctioned by the Poor Law Board, to visit the inmates of his own creed in such workhouse or school, whether sent for or not; and shall, under like regulations, be allowed to assemble such inmates in some convenient place for a reasonable time on such days, not being less than one day in each week, as may be appointed by the guardians.

That every inmate for whom a religious service, according to his own creed, shall not be provided in the workhouse on Sundays, and on any other days required by his religion to be kept sacred, shall be permitted, under regulations sanctioned by the Poor Law Board, to attend once on such days some place of worship of his own denomination, if within a convenient distance.

That the Poor Law Board may require, on application to them, and on being satisfied that there are reasonable grounds for doing so, that orphans under twelve years of age, not belonging to the Established Church, shall be sent to any school of their own denomination, either certified as an industrial school, or licensed by the Poor Law Board, under the Act 25&26 Vict. c. 43, the managers of which shall be willing to receive such children, upon being paid at the rate of the average cost of the maintenance of the inmates of the workhouse of the union or district or separate school from which they shall be sent; but the guardians shall not be required to pay any travelling expenses respecting such orphan child.

That the following regulations shall be substituted for those contained in the order of the Poor Law Board, dated the 23d day of August 1859, and made the subject of legislative enactment:—

Article I. That whenever there shall be in the workhouse or district school any child, whether the parents or surviving parent of such child be in the workhouse, or whether such child be an orphan or deserted child under the age of fourteen years, the master or superintendent of the workhouse or district school shall enter in such creed register list, as the religious persuasion of such child, the religious creed of the father, if the master know or can ascertain the same by reasonable inquiry, or if the same cannot be so ascertained,

ascertained, the creed of the mother of such child, if the same be known to the said master, or can be by him in like manner ascertained. The religion of an illegitimate child shall be considered as that of his or her mother.

Article II. Such child, while an inmate of any workhouse or district or separate school, visited by a minister of his or her religious creed for the purpose of religious instruction, shall not be instructed in any other religious creed, or permitted to attend any other religious service than that so entered, unless he or she, being above the age of twelve years of age, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject.

Article III. The master of the workhouse, or the superintendent of the district or other pauper school, shall, subject to the directions of the Guardians of the Union, permit the attendance at the workhouse, from time to time, for the purpose of affording religious instruction to such child, of some minister of the religious persuasion of the said child, as ascertained according to the provisions of this order.

Provided always, that such attendance shall take place at such times as shall not be inconsistent with the discipline and good order of the workhouse or school.

Article IV. Failing other evidence, a certificate of the baptism of the child, authenticated by the minister who has lawful custody of the register in which the baptism of such child has been recorded, shall be deemed sufficient evidence of that child's religion; and the evidence on which the entry of religion has been made shall also be recorded. In the case of all entries, the correctness of which is called in question, the Poor Law Board shall have the power to examine into the case, and to direct the amendment of the entry, if they shall think proper.

That the inmates of the workhouse shall be allowed the use of such religious books as may be sanctioned by the Poor Law Board.

That in workhouses and schools of unions or parishes where there is a numerous body of paupers of any particular religious denomination, not being members of the Established Church, and requiring spiritual ministrations, it would be desirable, in the opinion of this Committee, that some remuneration should be provided for the ministers attending in such cases.

Education of Pauper Children.

That, making reasonable allowance for the low condition, physical, moral and mental, of a large proportion of the children when they first enter workhouses, and for the necessarily frequent changes in their admission and discharge, the state of workhouse education is upon the whole satisfactory in its character and result.

The Committee think that it would be inexpedient, and in many cases impracticable, to enforce the general establishment of district or separate schools; but they are of opinion that schools entirely distinct from the workhouse should continue to be encouraged, as being attended with beneficial results to the children, and affording the most effectual means of separating them from the other classes of paupers.

The proposal of the Education Commissioners to compel Guardians to insist upon the education of the child as a condition of out-door relief to the parent is, in the opinion of Your Committee, inconsistent with the principles upon which the relief of the poor is established.

That the 6th Section of the 14 & 15 Vict. c. 105, restricting to 20 miles the distance within which children may be sent to a district or separate school from other unions, be repealed or altered, so as to admit of children being sent to such schools from a greater distance than 20 miles, subject to such regulations as the Poor Law Board may make.

Classification in Workhouses.

That it appears to Your Committee that in many cases the union workhouses are insufficient for the purpose of the proper classification of the inmates,

and Your Committee consider it desirable that greater power should be given to the Central Board than that which they now possess, to require Guardians to make adequate arrangements for such classification.

Casual and Houseless Poor in the Metropolis, and Vagrants.

That, in order to secure sufficient and convenient means for the relief of the casual and houseless poor within the metropolis, as defined by the Metropolitan Local Management Act, it is expedient that the charges incurred for the support of such poor should be paid out of a rate assessed on the annual rateable value of the whole of the said metropolis.

That, in the opinion of this Committee, the machinery adopted under the Metropolitan Local Management Act might be made available for raising the amount of such charge, and Your Committee recommend that authority be given to the Metropolitan Board of Works for such purpose.

That the Poor Law Board be empowered to prescribe and enforce all necessary arrangements for providing the requisite accommodation in the several unions and parishes, and otherwise carrying the foregoing resolutions into effect.

That, with the view of suppressing vagrancy, as far as practicable, the Committee are of opinion that the central authority, when invested with adequate power for that purpose, should direct Boards of Guardians to provide suitable and sufficient wards for the reception of the wayfaring and wandering poor, and that the regulations for their management and relief should be on a uniform system throughout the country. The Committee approve of the employment of police constables as assistant relieving officers for vagrants, and think it desirable that the arrangement should be generally adopted.

Equalization of the Poor Rate.

That much evidence was adduced, showing the unequal pressure of the charge for the relief of the poor in different parts of the metropolitan district; and various plans were submitted to Your Committee for the equalization of the poor rate; and Your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the metropolis are so peculiar, that in any legislation to extend the area of charge or management, it would be necessary to have regard to those circumstances.

That any measure for extending the area of rating should, in the opinion of the Committee, embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union.

31 *May* 1864.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 3° die Martii, 1864.

MEMBERS PRESENT:

Mr. Villiers.	Lord Fermoy.
Mr. Lyall.	Mr. Caird.
Lord Edward Howard.	Colonel Pennant.
Sir William Miles.	Mr. Locke.
Mr. Neate.	Mr. Edward Bouverie.
Mr. Kekewich.	Lord Robert Cecil.
Mr. Bazley.	

Mr. VILLIERS was called to the Chair.

The Committee deliberated.

Motion made, and Question,—" That, barring the documentary evidence which may be produced relative to vagrants returned as casual poor, the Committee are of opinion that sufficient evidence has been laid before them, and will proceed to the consideration of their Report at their next meeting"—(Sir *William Miles*)—put, and *agreed to.*

The Committee deliberated.

[Adjourned to Tuesday next, at One o'clock.

Martis, 8° die Martii, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Edward Bouverie.	Mr. Alderman Sidney.
Mr. Kekewich.	Mr. Buller.
Sir William Miles.	Sir George Bowyer.
Lord Edward Howard.	Lord Robert Cecil.
Mr. Bazley.	Lord Fermoy.
Mr. Neate.	Mr. Lyall.
Mr. John Tollemache.	Colonel Pennant.
Mr. Locke.	Mr. Lowe.
Mr. Walpole.	

Resolutions to be proposed by the Chairman, read, and considered.

Central Authority.

Motion made, and Question,—" 1. That the continuance of a central authority is essential for securing the due and uniform administration of the laws for the relief of the poor, and your Committee are of opinion that it would contribute to its efficiency if it were placed upon a permanent footing,"—put, and *agreed to.*

General Orders.

Motion made, and Question,—" 2. That the power of issuing General Orders now proposed by the Poor Law Board is salutary and useful, and should be continued,"—put, and *agreed to.*

Medical Relief.

Motion made, and Question proposed,—" 3. That there are no sufficient grounds for interfering with the present system of medical relief, which was made the subject of special and lengthened inquiries by Select Committees of this House in the years 1844 and 1854.

" Many of the recommenations of those Committees were subsequently carried out by the orders of the Poor Law Board, and your Committee are unable to suggest any further alterations in the system of medical relief which appears to be administered with general advantage."—The Committee deliberated; whereupon Motion made, and Question, " That the further consideration of this proposed Resolution be *adjourned*,"—put, and agreed to.

Pauper Education.

Motion made, and Question put,—" 4. That, making reasonable allowance for the low condition, physical, moral, and mental, of a large proportion of the children when they first enter workhouses, and for the necessarily frequent changes in their admissions and discharges, the state of workhouse education is upon the whole satisfactory; and it appears to the Committee that the further improvement of workhouse education may be safely confided to the judgment and supervision of the Poor Law Board."—The Committee divided:

Ayes, 5.	Noes, 7.
Mr. Edward Bouverie.	Mr. Locke.
Lord Fermoy.	Mr. Lyall.
Lord Edward Howard.	Mr. Kekewich.
Mr. Walpole.	Mr. Neate.
Mr. Lowe.	Mr. Alderman Sidney.
	Mr. Tollemache.
	Sir George Bowyer.

[Adjourned to Friday next, at One o'clock.

Veneris, 11° *die Martii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Edward Bouverie.	Sir John Acton.
Sir W. Miles.	Mr. Neate.
Mr. Kekewich.	Sir George Bowyer.
Mr. Buller.	Mr. Walpole.
Lord Edward Howard.	Colonel Pennant.
Lord Fermoy.	Lord Robert Cecil.
Mr. Tollemache.	Mr. Ayrton.
Mr. Bazley.	Mr. Lowe.
Mr. Alderman Sidney.	

Pauper Education.

Motion made, and Question,—" 4. That, making reasonable allowance for the low condition, physical, moral, and mental, of a large proportion of the children when they first enter workhouses, and for the necessarily frequent changes in their admission and discharge, the state of workhouse education is upon the whole satisfactory in its character and result"—(Mr. *Kekewich*)—put, and *agreed to.*

Motion made, and Question proposed,—"The Committee think that it would be inexpedient, and in many cases impracticable, to enforce the general establishment of district or separate schools; but they are of opinion that schools entirely distinct from the workhouse should continue to be encouraged, as being attended with beneficial results to the children, and affording the most effectual means of separating them from the other classes of paupers"—(Mr. *Kekewich*):—Amendment proposed, to leave out from the words "separate schools" to the end of the Question—(Mr. *Buller*).—Question put, "That the words proposed to be left out stand part of the Question."—The Committee divided:

Ayes, 8.	Noes, 7.
Lord Fermoy.	Mr. Bazley.
Lord Edward Howard.	Colonel Pennant.
Mr. Kekewich.	Mr. Alderman Sidney.
Mr. Neate.	Mr. Tollemache.
Lord Robert Cecil.	Mr. Walpole.
Sir John Acton.	Mr. Buller.
Sir George Bowyer.	Sir William Miles.
Mr. Lowe.	

Main Question put, and *agreed to.*

Motion made, and Question,—" 5. The proposal of the Education Commissioners to compel guardians to insist upon the education of the child, as a condition of out-door relief to the parent, is, in the opinion of your Committee, inconsistent with the principles upon which the relief of the poor is established"—(Mr. *Villiers*),—put, and *agreed to.*

Motion made, and Question put,—" Your Committee, upon consulting the Report made by the Select Committee of 1854 on medical relief, find that it was recommended that poor persons should be enabled to receive medical relief, as their cases may require, without being placed on the list of paupers, but that it should be left to the Boards of Guardians to decide in what cases medical relief shall be so given to persons who are not otherwise in want

want of or in receipt of parochial relief; and they suggest that this recommendation should be carried out"—(Sir *William Miles*).—The Committee divided:

Ayes, 5.	Noes, 8.
Lord Edward Howard.	Mr. Bazley.
Mr. Neate.	Mr. Kekewich.
Sir William Miles.	Colonel Pennant.
Lord Robert Cecil.	Mr. Tollemache.
Sir George Bowyer.	Mr. Walpole.
	Mr. Buller.
	Sir John Acton.
	Mr. Lowe.

Medical Relief.

Question again proposed, "3. That there are no sufficient grounds for interfering with the present system of medical relief, which was made the subject of special and lengthened inquiries by Select Committees of this House in the years 1844 and 1854. The recommendations of those Committees were subsequently carried out by the orders of the Poor Law Board, and your Committee are unable to suggest any further alterations in the system of medical relief, which appears to be administered with general advantage."—Several amendments made.—Main Question, as amended, put, and *agreed to.*—*Resolved*, "That there are no sufficient grounds for materially interfering with the present system of medical relief, which was made the subject of special and lengthened inquiries by Select Committees of this House in the years 1844 and 1854. The recommendations of those Committees were for the most part carried out by the orders of the Poor Law Board, and the system of medical relief appears to be administered with general advantage. Your Committee, however, recommend that in future cod liver oil, quinine, and other expensive medicines, shall be provided at the expense of the Guardians, subject to the Orders and Regulations of the Poor Law Board."

Religious Rights of Workhouse Inmates.

Motion made, and Question, "5. That, with the view of giving full effect to the obvious intention of the Legislature in regard to the religious rights of those inmates of workhouses and district schools who are not members of the Church of England, your Committee recommend as follows:—

"(1.) That there shall be kept in all workhouses, and in all district and separate pauper schools, a creed register, separate from other registers, which shall be open to the inspection of all clergymen and ministers of religion officiating within the union,"—put, and *agreed to.*

Motion made, and Question proposed,—"(2.) That any such clergyman or minister shall be at liberty, under reasonable regulations, to visit the inmates of his own creed in such workhouse or school, whether sent for or not; and shall, whenever it shall be deemed practicable, be allowed to assemble such inmates in some convenient place for a reasonable time on such days, not being less than one day in each week, as may be appointed by the guardians, subject to the approval of the Poor Law Board."—The Committee deliberated.

[Adjourned to Tuesday next, at One o'clock.

Martis, 15° *die Martii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Edward Bouverie.	Mr. Neate.
Mr. Kekewich.	Mr. Walpole.
Sir William Jolliffe.	Mr. J. Tollemache.
Mr. Buller.	Sir George Bowyer.
Mr. Caird.	Lord Robert Cecil.
Lord Edward Howard.	Sir John Acton
Mr. Ayrton.	Mr. Lowe.
Mr. Alderman Sidney.	Lord Fermoy.
Mr. Bazley.	Mr. Locke.
Colonel Pennant.	

Religious Rights of Workhouse Inmates.

Question again proposed, "2. That any such clergyman or minister shall be at liberty, under reasonable regulations, to visit the inmates of his own creed in the workhouse or district school, whether sent for or not; and shall, whenever it shall be deemed practicable, be allowed to assemble such inmates in some convenient place for a reasonable time on such days,

days, not being less than one day in each week, as may be appointed by the Guardians, subject to the approval of the Poor Law Board."—Several Amendments made.—Amendment proposed, to add the words "but no such inmate shall be compelled to attend any such minister or assembly against his will"—(Mr. *Ayrton*)—at the end of the proposed Resolution.—Question put, That those words be there added.—The Committee divided:

Ayes, 5.	Noes, 12.
Lord Fermoy.	Mr. Bazley.
Mr. Neate.	Mr. Edward Bouverie.
Mr. Alderman Sidney.	Mr. Caird.
Mr. Tollemache.	Lord Edward Howard.
Mr. Ayrton.	Mr. Kekewich.
	Colonel Pennant.
	Mr. Walpole.
	Mr. Buller.
	Lord Robert Cecil.
	Sir John Acton.
	Sir George Bowyer.
	Mr. Lowe.

Main Question, as amended, put.—The Committee divided:

Ayes, 16.	Noes, 2.
Mr. Bazley.	Colonel Pennant.
Mr. Edward Bouverie.	Mr. Tollemache.
Mr. Caird.	
Lord Fermoy.	
Lord Edward Howard.	
Mr. Kekewich.	
Mr. Neate.	
Mr. Alderman Sidney.	
Mr. Walpole.	
Mr. Buller.	
Lord Robert Cecil.	
Sir John Acton.	
Mr. Ayrton.	
Sir George Bowyer.	
Mr. Lowe.	
Sir William Jolliffe.	

Resolved, "(2.) That any such clergyman or minister shall be at liberty, subject to regulations sanctioned by the Poor Law Board, to visit the inmates of his own creed in such workhouse or school, whether sent for or not; and shall, under like regulations, be allowed to assemble such inmates in some convenient place for a reasonable time on such days, not being less than one day in each week, as may be appointed by the guardians."

Motion made, and Question,—"(3.) That every inmate for whom a religious service, according to his own creed, shall not be provided in the workhouse on Sundays, and on any other days required by his religion to be kept sacred, shall be permitted, under regulations sanctioned by the Poor Law Board, to attend once on such days some place of worship of his own denomination, if within a convenient distance,"—put, and *agreed to*.

Motion made, and Question proposed,—"(4.) That orphans and deserted children, not belonging to the Established Church, shall be sent to any school of their own denomination, either certified as an industrial school, or licensed by the Poor Law Board, under the Act 25 & 26 Vict. c. 43, the managers of which shall be willing to receive such children, upon being paid at the rate of the average cost of the maintenance of the inmates of the workhouse of the union from which they shall be sent; but the guardians shall not be required to pay any travelling expenses respecting such orphan or deserted child."—Amendment proposed, after the word "That," to insert the words, "the Poor Law Board may require, on application to them, and on being satisfied that there are reasonable grounds for doing so, that"—(Mr. *Bouverie*).—Question, That those words be there inserted,—put, and *agreed to*.—Amendment proposed, to leave out the words "and deserted children," line 1.—(Mr. *Ayrton*).—Question put, That the words "and deserted children" stand part of the Question.—The Committee divided:

Ayes, 9.	Noes, 10.
Mr. Bouverie.	Mr. Bazley.
Lord Edward Howard.	Mr. Caird.
Mr. Neate.	Lord Fermoy.
Colonel Pennant.	Mr. Locke.
Mr. Tollemache.	Mr. Kekewich.
Lord Robert Cecil.	Mr. Alderman Sidney.
Sir John Acton.	Mr. Walpole.
Sir George Bowyer.	Mr. Buller.
Mr. Lowe.	Mr. Ayrton.
	Sir William Jolliffe.

Amendment proposed, after the word "orphans," to insert the words "and other pauper children, with the consent of their parents"—(Lord *Edward Howard*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 7.	Noes, 9.
Lord Edward Howard.	Mr. Caird.
Mr. Neate.	Mr. Locke.
Mr. Walpole.	Mr. Kekewich.
Lord Robert Cecil.	Colonel Pennant.
Sir John Acton.	Mr. Alderman Sidney.
Sir George Bowyer.	Mr. Tollemache.
Mr. Lowe.	Mr. Buller.
	Mr. Ayrton.
	Sir William Jolliffe.

Other Amendments made.—Main Question, as amended, put, and *agreed to.*—*Resolved*, "(4.) That the Poor Law Board may require, on application to them, and on being satisfied that there are reasonable grounds for doing so, that orphans under twelve years of age, not belonging to the Established Church, shall be sent to any school of their own denomination, either certified as an industrial school or licensed by the Poor Law Board, under the Act 25 & 26 Vict. c. 44, the managers of which shall be willing to receive such children, upon being paid at the rate of the average cost of the maintenance of the inmates of the workhouse of the union or district, or separate school, from which they shall be sent; but the guardians shall not be required to pay any travelling expenses respecting such orphan child."

Motion made, and Question—"(5.) That the following regulations shall be substituted for those contained in the order of the Poor Law Board, dated the 23d day of August 1859, and made the subject of legislative enactment:

"Article I. That whenever there shall be in the workhouse or district school any child, whether the parents or surviving parent of such child be in the workhouse, or whether such child be an orphan or deserted child under the age of fourteen years, the master or superintendent of the workhouse or district school shall enter in such creed register list, as the religious persuasion of such child, the religious creed of the father, if the master know or can ascertain the same by reasonable inquiry, or if the same cannot be so ascertained, the creed of the mother of such child, if the same be known to the said master, or can be by him in like manner ascertained. The religion of an illegitimate child shall be considered as that of his or her mother,"—put, and *agreed to.*

Motion made, and Question proposed,—"Article II. Such child, while an inmate of the workhouse or district school, shall not be instructed in any other religious creed than that so entered, unless he or she, being above the age of twelve years of age, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject."—The Committee deliberated,—whereupon Motion made, and Question, That the further consideration of this Question be *adjourned*,—put, and agreed to.

Motion made, and Question,—"Article III. The master of the workhouse, or the superintendent of the district or other pauper school, shall, subject to the directions of the guardians of the union, permit the attendance at the workhouse from time to time, for the purpose of affording religious instruction to such child, of some minister of the religious persuasion of the said child, as ascertained according to the provisions of this order.

"Provided always, that such attendance shall take place at such times as shall not be inconsistent with the discipline and good order of the workhouse or school,"—put, and *agreed to.*

[Adjourned to Friday, 8 April, at One o'clock.

Veneris, 8° die Aprilis, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Buller.	Mr. Neate.
Mr. Lyall.	Mr. Alderman Sidney.
Lord Edward Howard.	Mr. Caird.
Mr. J. Tollemache.	Mr. Lowe.
Mr. Bazley.	Sir George Bowyer.
Sir John Acton.	Mr. Ayrton.
Mr. Locke.	

Religious Rights of Workhouse Inmates.

Question again proposed, "Article II. Such child, while an inmate of the workhouse or district school, shall not be instructed in any other religious creed than that so entered, unless he or she, being above the age of twelve years of age, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject."—Several Amendments made.—Main Question, as amended, put, and *agreed to.*—*Resolved,* "Article II. Such child, while an inmate of any workhouse or district or separate school, visited by a minister of his or her religious creed for the purpose of religious instruction, shall not be instructed in any other religious creed, or permitted to attend any other religious service than that so entered, unless he or she, being above the age of twelve years of age, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject."

Motion made, and Question, "Article IV. Failing other evidence, a certificate of the baptism of the child, authenticated by the minister who has lawful custody of the register in which the baptism of such child has been recorded, shall be deemed sufficient evidence of that child's religion. That the evidence on which the entry of religion has been made shall also be recorded. That in the case of all entries, the correctness of which is called in question, the Poor Law Board shall have the power to examine into the case, and to direct the amendment of the entry, if they shall think proper"—(Lord *Edward Howard*) —put, and *agreed to.*

Motion made, and Question proposed, "6. That the Poor Law Board, after due consultation with the Roman Catholic authorities, shall from time to time issue an order containing the names of a sufficient number of Roman Catholic books which it shall be lawful to give or lend to Roman Catholic paupers"—(Lord *Edward Howard*).—Motion and Question, by leave, *withdrawn.*

Motion made, and Question, "That the inmates of the workhouse shall be allowed the use of such religious books as may be sanctioned by the Poor Law Board"—(Mr. *Villiers*) —put, and *agreed to.*

Continuance in Office of Paid Officers.

Motion made, and Question proposed,—"7. That, in order to secure the due discharge of their duties by the principal officers of unions and parishes, it is, in the opinion of your Committee, essential that their tenure of office should not be terminable without the concurrence of the central authority; and it is not expedient, therefore, that the power which the Guardians already possess of dismissing the subordinate officers should be further extended."—Amendment proposed, to leave out from the word "authority," in line 3, to the end of the paragraph—(Mr. Alderman *Sidney*).—Question put, That the words proposed to be left out stand part of the paragraph,—put, and agreed to.—Main Question put, and *agreed to.*

Superannuation of Paid Officers.

Motion made, and Question, "That it was shown to your Committee that inconvenience resulted from the continuance in office of persons who, by reason of infirmity of body or mind, had become incapable of officially discharging their duties, but whose removal had been postponed from personal considerations; and your Committee therefore recommend that a power should be conferred upon Boards of Guardians to provide, at their discretion, for the superannuation of certain union officers, the exercise of such power to be subject to the control of the central authority"—put, and *agreed to.*

Ordered, "That the petition from St. George the Martyr, Southwark, be printed, and circulated among the members of the Committee."—

[Adjourned to Tuesday next, at One o'clock.

Martis, 12° *die Aprilis,* 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. J. Tollemache.	Mr. Buller.
Colonel Pennant.	Mr. Lyall.
Mr. Bazley.	Lord Edward Howard.
Mr. Locke.	Mr. Alderman Sidney.
Mr. Neate.	Lord Robert Cecil.
Mr. Ayrton.	Sir John Acton.
Sir William Jolliffe.	Mr. Walpole.
Mr. Kekewich.	Mr. Lowe.

District Auditors.

Motion made, and Question proposed,—"6. That the existing constitution of the office of district auditor is unsatisfactory, and the Committee, having regard to the recommendation contained in the Reports of the Select Committee of this House on the Poor Law Amendment Act in 1838, and of the Committee of Inquiry appointed by the Treasury in 1852, and also to the anomaly now existing of the appointment of the auditors being vested in the Chairman and Vice-Chairman of Boards of Guardians, whilst the salaries are paid by a Parliamentary grant, consider that the power of appointing District Auditors should in future be vested in the central authority. The Committee are further of opinion that the time of those officers when appointed should be wholly devoted to the public service, and that with this view their numbers should be reduced as vacancies occur, and the vacant districts incorporated with others."—Amendment proposed, to leave out the words "the existing constitution of the office of District Auditor is unsatisfactory, and."—(Mr. *Kekewich*).—Question, That the words proposed to be left out, stand part of the Question:—The Committee divided:

Ayes, 6.	Noes, 6.
Lord Edward Howard.	Mr. Bazley.
Mr. Locke.	Mr. Kekewich.
Mr. Neate.	Colonel Pennant.
Mr. Alderman Sidney.	Mr. J. Tollemache.
Mr. Buller.	Lord Robert Cecil.
Mr. Ayrton.	Sir William Jolliffe.

Whereupon the Chairman declared himself with the Noes.

Another Amendment proposed, to leave out from the first word "Committee" to the end of the Question, in order to add the words "are of opinion that the appointment of auditors for each union be vested in the ratepayers of the union."—(Mr. *Ayrton*).—Question put, That the words "having regard to the recommendation contained in the Reports," stand part of the Question:—The Committee divided:

Ayes, 9.	Noes, 3.
Mr. Bazley.	Mr. Locke.
Lord Edward Howard.	Mr. Alderman Sidney.
Mr. Kekewich.	Mr. Ayrton.
Mr. Neate.	
Colonel Pennant.	
Mr. J. Tollemache.	
Mr. Buller.	
Lord Robert Cecil.	
Sir William Jolliffe.	

Another Amendment proposed, to leave out the words "the time of those officers when appointed should be wholly devoted to the public service, and that with this view."—(Mr. *Locke*)—Question put, That those words stand part of the Question:—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Bazley.	Mr. Locke.
Lord Edward Howard.	Mr. Kekewich.
Colonel Pennant.	Mr. Neate.
Mr. J. Tollemache.	Mr. Alderman Sidney.
Mr. Buller.	Lord Robert Cecil.
Mr. Ayrton.	Sir William Jolliffe.

Whereupon the Chairman declared himself with the Ayes.

Main Question, as amended, put, and *agreed to.—Resolved*, "6. That the Committee, having regard to the recommendation contained in the Reports of the Select Committee of this House on the Poor Law Amendment Act in 1838, and of the Committee of Inquiry appointed by the Treasury in 1852, and also to the anomaly now existing of the appointment of the Auditors being vested in the Chairman and Vice-chairman of Boards of Guardians, consider that the power of appointing District Auditors should in future be vested in the central authority. The Committee are further of opinion that the time of those officers when appointed should be wholly devoted to the public service, and that with this view their numbers should be reduced as vacancies occur, and the vacant districts incorporated with others."

Motion made, and Question put,—"That the Poor Law Board should be invested with

power to define the incidental expenses incurred by guardians, which should be charged on the rates."—(Mr. *Ayrton.*)—The Committee divided:

Ayes, 11.	Noes, 5.
Lord Edward Howard.	Mr. Bazley.
Mr. Locke.	Colonel Pennant.
Mr. Lyall.	Mr. Tollemache.
Mr. Kekewich.	Mr. Lowe.
Mr. Neate.	Sir William Jolliffe.
Mr. Alderman Sidney.	
Mr. Walpole.	
Mr. Buller.	
Lord Robert Cecil.	
Sir John Acton.	
Mr. Ayrton.	

Metropolitan Distress in 1860–61.

Motion made, and Question proposed—"9. That with respect to the extraordinary prevalence of distress in the metropolis in the winter of 1860–61, to which the attention of your Committee was particularly directed, they received strong evidence that if the charge of relieving such distress had fallen exclusively upon the Guardians, it could have been successfully borne, inasmuch as the legal machinery of administration was sufficient, and there was no lack of funds available for the purpose. The legitimate action, however, of the Poor Law was to a considerable extent superseded by voluntary agency, and any temporary advantage which the rate-payers may have derived from the rates being thus economized, was more than counterbalanced by the demoralizing effects of indiscriminate and unorganized almsgiving."—Amendments made.—Amendment proposed, to leave out the words "and there was no lack of funds available for the purpose," in order to insert the words "and the Guardians possessed the requisite powers for raising the necessary funds for the purpose," instead thereof.—Question, That the words proposed to be left out stand part of the Question,—put, and *negatived*.—Words inserted.

Another Amendment proposed, to insert the words "but the legal charge for the purpose would have pressed very heavily on some parishes within the metropolis, and very unequally on different parts of it"—(Mr. *Ayrton*)—at the end of the last Amendment.—Question proposed, That those words be there inserted.—The Committee deliberated.

[Adjourned to Friday next, at One o'clock.

Veneris, 15° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Villiers in the Chair.

Lord Robert Cecil.	Mr. Walpole.
Mr. Tollemache.	Mr. Kekewich.
Colonel Pennant.	Mr. Lyall.
Mr. Bazley.	Mr. Ayrton.
Mr. Locke.	Mr. Alderman Sidney.
Mr. Neate.	Sir John Acton.
Sir William Jolliffe.	Sir George Bowyer.
Mr. Buller.	

Metropolitan Distress in 1860–61.

Question again proposed, That the words, "but the legal charge for the purpose would have pressed very heavily on some parishes within the metropolis, and very unequally on different parts of it," be inserted at the end of the last Amendment.—Amendment proposed to the proposed Amendment, by leaving out the words "and very unequally on different parts of it"—(Mr. *Kekewich*).—Question, That the words proposed to be left out stand part of the proposed Amendment, put, and *negatived*.—Question, That the words "but the legal charge for the purpose would have pressed very heavily on some parishes within the metropolis," be inserted at the end of the last Amendment, put, and *agreed to*.—Other Amendments made.—Main Question, as amended, put, and *agreed to*.—*Resolved*—"That with respect to the extraordinary prevalence of distress in the metropolis in the winter of 1860–61, to which the attention of your Committee was particularly directed, they received strong evidence that the duty of relieving such distress could have been relieved by the Poor Law authorities, inasmuch as the legal machinery of administration was sufficient, and the Guardians possessed the requisite powers for raising the necessary funds for the purpose; but

but the legal charge for the purpose would have pressed very heavily on some parishes within the metropolis. The regular action, however, of the Poor Law was to a considerable extent rendered unnecessary by voluntary contributions; and however desirable it is that in great emergencies destitution should be relieved by spontaneous charity, your Committee find that, on the occasion in question, evils resulted from the want of a sufficient organization for the investigation of the cases of the persons relieved."

Equalisation of Rating.

Motion made, and Question proposed, "That much evidence was adduced, showing the unequal pressure of the charge for the relief of the poor in different parts of the metropolitan district; and various plans were submitted to your Committee for the equalisation of the poor rate. Your Committee are not, however, prepared to recommend any legislation on the subject limited to the metropolis; and the general question of extending the area of rating throughout the country (connected as it is with that of settlement) is one which was not specifically referred to the consideration of your Committee, and on which abundant evidence has already been submitted to the Legislature."—Amendment proposed, to leave out from the word "rate" to the end of the Question, in order to add the words "and your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the metropolis are so peculiar, that in any legislation to extend the area of charge or management, it would be necessary to have regard to those circumstances,"—(Mr. *Locke*)—instead thereof.—Question, That the words proposed to be left out stand part of the Question, put, and *negatived*.—Words added.—Main Question, as amended, put, and *agreed to*.—*Resolved*—"10. That much evidence was adduced, showing the unequal pressure of the charge for the relief of the poor in different parts of the metropolitan district; and various plans were submitted to your Committee for the equalization of the poor rate; and your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the metropolis are so peculiar, that in any legislation to extend the area of charge or management, it would be necessary to have regard to those circumstances."

[Adjourned to Tuesday next, at One o'clock.

Veneris, 19° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Buller.	Mr. Neate.
Mr. Lyall.	Sir William Jolliffe.
Mr. J. Tollemache.	Sir John Acton.
Lord Edward Howard.	Colonel Pennant.
Mr. Bazley.	Mr. Walpole.
Mr. Kekewich.	Sir George Bowyer.
Mr. Locke.	Lord Fermoy.
Mr. Ayrton.	Mr. Lowe.

Casual and Houseless Poor.

Motion made, and Question, "That, in order to secure sufficient and convenient means for the relief of the casual and houseless poor within the metropolis, as defined by the Metropolitan Local Management Act, it is expedient that the charges incurred for the support of such poor should be paid out of a rate assessed on the annual rateable value of the whole of the said metropolis"—(Mr. *Ayrton*),—put, and *agreed to*.

Motion made, and Question, "That, in the opinion of this Committee, the machinery adopted under the Metropolitan Local Management Act might be made available for raising the amount of such charge, and your Committee recommend that authority be given to the Metropolitan Board of Works for such purpose"—(Mr. *Ayrton*),—put, and *agreed to*.

Motion made, and Question, "That the Poor Law Board be empowered to prescribe and enforce all necessary arrangements for providing the requisite accommodation in the several unions and parishes, and otherwise carrying the foregoing Resolution into effect"—(Mr. *Ayrton*),—put, and *agreed to*.

Digest of Laws relating to Relief of the Poor.

Motion made, and Question proposed, "That it is expedient that the laws relating to the Relief of the Poor should be consolidated, and that in order to facilitate that object, a digest of them should be at once printed"—(Mr. *Ayrton*).—The Committee deliberated:

[Adjourned to Friday next, at One o'clock.

Veneris, 22° die Aprilis, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Buller.	Sir William Jolliffe.
Mr. Lyall.	Lord Edward Howard.
Mr. Bazley.	Sir George Bowyer.
Mr. Locke.	Mr. Alderman Sidney.
Mr. Kekewich.	Mr. Lowe.
Mr. John Tollemache.	Lord Robert Cecil.
Mr. Neate.	Colonel Pennant.

Classification in Workhouses.

Motion made, and Question, "That the workhouse should always admit of such arrangements that the matron may be able to place girls, not driven there by the consequences of a vicious life, but who are apparently of respectable character, in a separate ward, until they can obtain a fresh situation, or be otherwise provided for, and that a recommendation to this effect should form part of the orders of the Poor Law Board"—(Mr. *Lyall*)—put, and *negatived.*

Motion made, and Question, "That the classification in the workhouse should, so far as may be practicable, be so arranged, that the matron may be able to place female inmates apparently of respectable character apart from those notoriously bad, and that the Poor Law Board should press this constantly upon the Boards of Guardians, and should not give their approval of any new workhouse without such arrangement"—(Mr. *Villiers.*)—Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "it appears to your Committee that in many cases the union workhouses are insufficient for the purpose of the proper classification of the inmates; and your Committee consider it desirable that greater power should be given to the Central Board than that which they now possess, to require guardians to make adequate arrangements for such classification"—(Mr. *Neate*)—instead thereof.—Question, That the words proposed to be left out stand part of the Question, put, and *negatived.*—Words added.—Main Question, as amended, put, and *agreed to.*—*Resolved,*—"That it appears to Your Committee that in many cases the union workhouses are insufficient for the purpose of the proper classification of the inmates, and Your Committee consider it desirable that greater power should be given to the Central Board than that which they now possess, to require Guardians to make adequate arrangements for such classification."

Motion made, and Question proposed, "That the Poor Law Board should recommend the Guardians to provide juvenile wards in the present infirmaries, and enforce the establishment of them when any new one is built."—(Mr. *Lyall.*)—Motion and Question, by leave, *withdrawn.*

Motion made, and Question proposed, "That the Poor Law regulations, which order district wards for the old and infirm, should also recommend a classification of the latter, so that the young infirm should be separated from those of an older generation."—(Mr. *Lyall.*)—Motion and Question, by leave, *withdrawn.*

Motion made, and Question, "That the 6th section of the 14 & 15 Vict. c. 105, restricting to 20 miles, the distance within which children may be sent to a district or separate school from other unions, be repealed or altered, so as to admit of children being sent to such schools from a greater distance than 20 miles, subject to such regulations as the Poor Law Board may make"—(Mr. *Neate*),—put, and *agreed to.*

Motion made, and Question put, "That the President of the Poor Law Bonrd be a Member of the House of Commons"—(Mr. *Buller*):—The Committee divided:

Ayes, 2.	Noes, 9.
Mr. Locke.	Lord Edward Howard.
Mr. Buller.	Mr. Lyall.
	Mr. Kekewich.
	Mr. Neate.
	Colonel Pennant.
	Mr. Alderman Sidney.
	Mr. J. Tollemache.
	Mr. Lowe.
	Sir William Joliffe.

Motion made, and Question proposed, "That the expenses of the Central Board be diminished by the abolition of the office of Parliamentary Secretary, and such further reductions made in the establishment as may be found practicable after full inquiry, and with due regard to the efficient discharge of the duties of the office."—The Committee deliberated.

[Adjourned to Tuesday next, at One o'clock.

Martis, 26° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Sir William Jolliffe.	Mr. Lowe.
Mr. Buller.	Mr. Bazley.
Mr. Neate.	Mr. Edward Bouverie.
Mr. Lyall.	Mr. Ayrton.
Mr. J. Tollemache.	Mr. Alderman Sidney.
Mr. Kekewich.	Lord E. Howard.
Mr. Locke.	

Question again proposed, "That the expenses of the Central Board be diminished by the abolition of the office of Parliamentary Secretary, and such further reductions in the establishment as may be found practicable, after full inquiry, and with due regard to the efficient discharge of the duties of the office."—Motion and Question, by leave, *withdrawn*.

Motion made, and Question put, "That the number of Inspectors be reduced"—(Mr. *Buller*)—The Committee divided:

Ayes, 4.	Noes, 8.
Mr. Locke.	Lord Edward Howard.
Mr. Alderman Sidney.	Mr. Lyall.
Mr. Kekewich.	Sir William Jolliffe.
Mr. Buller.	Mr. Edward Bouverie.
	Mr. Lowe.
	Mr. J. Tollemache.
	Mr. Neate.
	Mr. Ayrton.

Motion made, and Question, "That any measure for extending the area of rating should in the opinion of the Committee, embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union"—(Mr. *Buller*),—put, and *agreed to*.

[Adjourned to Friday next, at One o'clock.

Veneris, 29° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. John Tollemache.	Mr. Lyall.
Lord Robert Cecil.	Lord Edward Howard.
Sir William Jolliffe.	Mr. Locke.
Sir George Bowyer.	Mr. Lowe.
Sir John Acton.	Mr. Alderman Sidney.

Motion made, and Question put, "That in workhouses and schools of unions or parishes where there is a numerous body of paupers of any particular religious denomination, not being members of the Established Church, and requiring spiritual ministrations, it would be desirable, in the opinion of this Committee, that some remuneration should be provided for the minister attending in such cases"—(Lord *Robert Cecil*),—The Committee divided:

Ayes, 7.	Noe, 1.
Lord Edward Howard.	Mr. J. Tollemache.
Mr. Lyall.	
Lord Robert Cecil.	
Sir John Acton.	
Sir George Bowyer.	
Mr. Lowe.	
Sir William Jolliffe.	

Motion made, and Question, "Your Committee are of opinion that it is necessary, to the uniform action of the Poor Law, that the central authority should have the same authority in unions and parishes now acting under local statutes, or under the Gilbert Act, as in unions or parishes constituted under the Poor Law Amendment Act"—(Sir *William Jolliffe*),—put, and *agreed to.*

Motion made, and Question, "That with the view of suppressing vagrancy as far as practicable, the Committee are of opinion that the central authority, when invested with adequate power for that purpose, should direct Boards of Guardians to provide suitable and sufficient wards for the reception of the wayfaring and wandering poor, and that the regulations for their management and relief should be on a uniform system throughout the country. The Committee approve of the employment of police constables as assistant relieving officers for vagrants, and think it desirable that the arrangement should be generally adopted"—(Mr. Alderman *Sidney*),—put, and *agreed to.*

[Adjourned to Tuesday, 10th May, at One o'clock.

Martis, 10° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Kekewich.	Sir George Bowyer.
Mr. Lyall.	Mr. Locke.
Mr. Walpole.	Colonel Pennant.
Mr. John Tollemache.	Lord Robert Cecil.
Sir John Acton.	Mr. Neate.
Mr. Bazley.	Lord Fermoy.
Sir William Jolliffe.	Mr. Alderman Sidney.
Mr. Buller.	Mr. Edward Bouverie.
Lord Edward Howard.	

Draft Report, read 1°, as follows:—

"THE Select Committee appointed 'to inquire into the Administration of the Relief of the 'Poor, under the Orders, Rules, and Regulations issued by the Poor Law Commissioners 'and the Poor Law Board, pursuant to the Provisions of the Poor Law Amendment 'Acts, and into the Operation of the Laws relating to the Relief of the Poor':—Have considered the matters to them referred, and agreed to the following REPORT:—

"METROPOLITAN DISTRESS.

"1. THE few weeks of unusually severe weather which preceded the first meeting of Your Committee on the 1st of March 1861, had deprived large numbers of persons in the Metropolis of their usual employment, and had, in several parts of it, occasioned a considerable amount of distress. Nearly the whole of the labourers in and about the London Docks, and along the banks of the river, were thrown out of work by the severe frost which set in on the 17th of December, and, with two slight intermissions, lasted until the 19th of January: and their numbers were largely increased by the necessary cessation of all market-garden operations around the Metropolis. For the relief of the persons thus deprived of their ordinary means of support, considerable sums of money, voluntarily contributed, were placed at the disposal of the police magistrates, and of the clergymen and others, in the several localities in which the distress existed. It appeared to have been generally assumed that the machinery of the Poor Law was inadequate to meet the prevailing distress; and that not only the rules and regulations under which parochial and union relief was administered required to be modified, but that the funds placed at the disposal of the guardians were insufficient for such an emergency. Several public writers and speakers alleged that the Poor Law had 'broken down,' and, on the assembling of Your Committee, we found that such an impression very generally prevailed. Your Committee, under these circumstances, deemed it expedient, in the first instance, to inquire into the then recent metropolitan distress, with the view of ascertaining how far the law, in its ordinary mode of operation, was able to bear the strain of such an emergency. Although it was sufficiently clear that the localities of the distress were chiefly parts of the city of London, Bethnal Green, Lambeth, Greenwich, and Poplar, Your Committee had considerable difficulty in obtaining any authentic evidence as to either its extent or intensity. The statistics of pauperism enable Your Committee to state with accuracy the numbers chargeable in each week, and the amount expended for their relief. But the numbers relieved through the agency of police magistrates, or of voluntary committees, can only be vaguely conjectured. The amount of money distributed may be stated with tolerable precision.

"2. It

" 2. It appears that the average pauperism of the Metropolis is 96,752. The addition to this number, during the five weeks of the frost, was,— Evidence 3040. 3039.

1st week	-	6,648
2d „	-	14,735
3d „	-	31,567
4th „	-	38,637
5th „	-	28,664

" For the five weeks, therefore, the pauperism was raised from the average of 96,752 to 135,389.

" 3. Of the numbers relieved by voluntary agency no statements were presented to Your Committee, nor indeed do the accounts of the numbers appear to have been kept either by the magistrates or by the local committee who were the agents of distribution. It is not possible to approximate with any degree of accuracy the numbers relieved by voluntary agency.

" 4. Still less is it possible to estimate satisfactorily the character of the distress that was actually relieved. By far the greater number of cases were relieved without any investigation into the circumstances, and in those cases in which inquiry is alleged to have been made it was not of such a nature as to elicit the facts of the actual condition of the applicants. Mr. Farnall, the Poor Law Inspector of the metropolitan district, was of opinion that the distress 'scarcely ought to bear the name of a crisis.' The mitigated character of the distress he illustrated by the striking statement that relief, subject to the usual conditions, was offered to 15,463 men, of whom '1,003 came into the workhouse, and 4,230 accepted 'the stone yard. The rest were never heard of again.' From this Mr. Farnall concludes, that in the great majority of cases in which applications for relief were made to the guardians, the distress could not have been very severe. 3062.

" 5. A different estimate of the nature of the emergency was, however, formed by other witnesses. Mr. Southgate, Chairman of the Board of Guardians of Shoreditch, speaks of it as having been a time of 'extraordinary pressure.' Mr. Yardley, the police magistrate, designates it as 'an extreme case of distress.' Mr. Bromley states that a single Refuge was called upon to relieve 14,000 cases during the winter. Mr. Howard, Chairman of Bethnal-green Union, is of opinion that but for charitable subscriptions 'there would have 'been a fearful loss of life from starvation.' The Rev. Mr. M'Gill, speaking from his own observation, describes the period as one of 'unparalleled misery.' The Rev. C. H. Carr, of St. John's Church, Limehouse, states that there was an entire cessation of work for almost the whole of his population. Mr. Selfe, the police magistrate, describes the period as one of 'extreme distress;' and adds, 'I think the distress was terrible; the amount to 'which the pawn-shops were filled with the absolute necessaries of the home, as it is called, 'and the way in which it was stripped to support bare life, was terrible.' The language of Mr. Knox, the police magistrate at Worship-street, is still more emphatic: 'As we walked 'round to visit the district, I certainly saw sights of the most extreme and awful misery; 'there was no doubt about it; their articles of furniture were gone from the house; the frame 'of a bedstead would be remaining, and the sacking gone; there were a man and his wife 'and six children lying upon shavings in the room; they would show you a bundle of pawn-'tickets with nothing remaining in the room; and I beheld sights such as you would not 'suppose it possible to witness in London.' 944. 2217. 2397. 2625. 3208. 3484. 3940. 4036. 4126.

" 6. The mode in which the relief of this distress, whatever may have been its extent and character, was provided for, was, firstly, through the usual agency of Boards of Guardians, and, secondly, through voluntary contributions administered by the police magistrates, and by various benevolent societies.

" 7. There can be no doubt that the machinery of Poor Law administration was adequate to the occasion, and that the guardians possessed the requisite powers for raising the funds necessary for the relief of the distress. It was not alleged by any witness that the administrators of the law were hampered by the rules or regulations of the Central Board, and the clerks and chairmen of the several unions, and the Poor Law Inspector of the metropolitan district, expressed strongly their opinions that the whole of the distress which existed during the period of the frost could have been amply provided for through the agency of the Boards of Guardians. Mr. Bowring, clerk to the City of London Union, and a gentleman of great experience, 'had not the slightest doubt 'that the 5,000 persons who were relieved at the Mansion House and the Guildhall could 'have been relieved by the City Union.' Mr. Richard Cobbett, who has been Chairman of the St. Martin's-in-the-Fields for 21 years, having been asked 'If there had been 'a great number of persons applying to you for relief, would you have considered that the 'parish was incapable of giving the relief?' replied, 'I should have considered that our 'parish was quite equal to meet the relief.' 'If the pressure had been very great, the 'probability is that about Christmas we should have been compelled to increase the rate.' 'There would have been no difficulty whatever in getting the rate.' Mr. Alderman Sheriff Abyss, who has been for several years Chairman of the City of London Union, 'entirely 'concurred in the opinion of Mr. Bowring, that there were ample means of supplying any 'number of applications for relief, and that there was neither any difficulty in making a rate 'or collecting a rate, nor in finding agents or relieving officers to distribute it, supposing 'that 316. 317. 415. 416. 417.

483. 'that an extraordinary number of applications had been made.' 'All the applications that 'were made to the City of London Union were relieved, and we found no difficulty what-'ever; and I believe that there would have been no difficulty in relieving the whole number
484. 'who applied at the different police offices.'' Mr. G. A. Farr, Clerk to the Guardians of 'the Whitechapel Union, who has been connected with union and parochial administration for upwards of 20 years, informed Your Committee, that although there was a vast increase in the number of cases relieved, being in the fourth week of the Lady-Day quarter, 2,862 above the average, yet the guardians 'found no difficulty at all in meeting
712. 'this exigency.' Mr. W. Southgate, Chairman of the Board of Guardians of Shoreditch,
995. was 'confident that the guardians could have relieved all that came to them.' 'The Poor 'Law Board do not interfere with us in giving relief; as to distribution of relief, we
1005. 'have nothing to complain of.' 'I think if they had not got anything from Worship-'street (police office), the poor would have been attended to (by the guardians), 'but, of course, they would not have got the amount of relief which they got
1020. 'there.' Mr. S. R. Stockton, one of the directors of the parish of St. Pancras, stated that the directors 'had not the least difficulty in relieving the applications that were
1126-28. 'made to them; their machinery was complete;' 'they had relieving officers enough;' they 'could have relieved in a humane and adequate manner the whole number applying.' They 'did not require the assistance of the voluntary subscriptions of benevolent people.' 'The
1154. 1155. 1157. 'Poor Law did not break down in our parish.' 'The Poor Law Board did not in any way 'interfere with us during the late distress; we got on very well; the machinery was in good
1345. 'order, and I am of opinion that we worked it satisfactorily.' Mr. William Turner, one of the directors of the poor of St. Pancras, was decidedly of opinion 'that the arrangements 'were sufficient to relieve the poor under the Poor Law, without the poor resorting to
1423. 'private charity.' Mr. Edward Collinson, Chairman of the Board of Guardians of St. George the Martyr, stated that the guardians 'had a great many applications during the frost, but
1485. 'they did not find any difficulty in providing for their relief.' 'There was decidedly no 'occasion for the indiscriminate relief' given at the police offices; had it been necessary, the parish 'could have relieved as many again.' Mr. Legg, Chairman of the Board of Guardians of the parish of Bermondsey, detailed the extent of distress and the mode of
2451. 2464, 5, 6. 2568. relieving it, and stated that in that parish there was no 'breakdown of the Poor Law; we 'could have done more if there had been any necessity for it.' It appeared to your Committee that, as a general rule, the guardians of the several unions and parishes felt that very little restraint, if any, was imposed upon them by any rule or regulation of the Poor Law Board. During this emergency, relief appears to have been administered by these bodies very much at their own discretion. Although the order known as the 'prohibitory order' is not in force in the Metropolis, yet the guardians of them felt that, as a protection against imposture, it was necessary, in the cases of able-bodied men, to enforce the test of the workhouse. Some evidence was offered to Your Committee that this operated virtually as a refusal of relief, so great was the reluctance of the poor to accept relief in this form. William Howard, Esq., Chairman of the Board of Guardians of Bethnal-green Union, was of opinion that so great was the reluctance of the poor to enter into the workhouse, that if they had not been relieved by voluntary contributions 'there would have been a fearful loss of life through 'starvation.' Where the workhouse was not applied, some other test, such as stone-breaking, or oakum-picking, appears to have been generally adopted. It appeared, however, that a very small proportion of the applicants to whom relief under this test was offered, accepted it. In St. Pancras, for example, of 700 people to whom relief under the test was offered, 400 refused it. Although some witnesses expressed an opinion that this reluctance to accept relief upon such conditions showed that the test was applied with harshness, yet a very considerable amount of evidence went to prove that it arose from the great facility with which the relief voluntarily contributed would be obtained. The indiscriminate way in which these contributions were distributed, and the want of concert and organization in the arrangements for the distribution may be seen from the evidence of the
3911. Metropolitan police magistrates. Mr. Henry S. Selfe, magistrate of the Thames Police Court, stated that his colleague and himself differed so much as to the expediency of receiving the sums subscribed and as to the mode in which they should be distributed, that they agreed to divide the joint fund, and act independently of one another in distributing it. The total amount sent to the court was about 4,000 *l.*, and of the 2,000 *l.*, that he received, he had disposed of 1,600 *l.*, 400 *l.* was distributed by himself, *propriâ manu*, and the remaining 1,200 *l.* was given to persons who undertook to furnish him with the particulars of the mode in which it was distributed. There was a balance in hand of 1,200 *l.* He gave no money where he had not the pledged word of some one known to himself that the applicant was worthy of relief. The persons who were relieved by him were almost exclusively persons of good character, and the greater part of them had never received parish relief. The persons who signed the papers recommending applicants for relief were clergymen, district visitors, Roman Catholic priests, and others residing in the district. Although the distress was so great during the whole period that he had been a magistrate, crime was never less; he accounted for it by supposing that the poor, having a knowledge that so much was being done for them to alleviate their distress, abstained from the commission of crime. He would not himself discourage the receipt of money at the police courts in times of great distress. The distribution of relief, he was bound to say, was foreign to the duties of the magistrates; but he did not think it interfered with the performance of them. He considered it necessary, as a condition for relief, that a test of work or strict inquiry should be applied. If there were no discrimination as to relief, and undeserving

serving persons were relieved, it doubtless tended to demoralise those who were struggling to be independent. He had no communication with the Guardians during the pressure. He believed them to be humane, and to have a desire to perform their duty; and in the main he was disposed to agree with Mr. Yardley, that there was hardly a complaint against a parochial authority which was not found to be groundless. As a whole, the officers, in his judgment, discharged their duties well and efficiently. At the same time, there were a number of cases which the Poor Law never could touch; and he did not conceive it possible that a thoroughly official system, paid for by compulsory contributions, could be without some kind of hardship to the poor. The workhouse test, or the labour test, which no doubt was properly applied in the case of the sturdy vagrant or the idle, was wholly unfit, in his judgment, to be applied to a vast number of those who were destitute. In the eastern district of the Metropolis there were numbers of the most deserving poor who would never go near the poorhouse; they would sooner die first. He was anxious, therefore, that nothing should be done to interfere with those who were willing to do what they could, in a subsidiary way, by relieving distress which the Poor Law could not touch. No system of Poor Law relief, if devised by angels, inasmuch as it would have to be administered by men, could ever prevent the necessity for voluntary exertion; and the more of the latter the better, provided that it was conducted wisely. He considered that it was not desirable that the police magistrates should themselves distribute the contributions, but they had means, which those who contributed the funds had not, of knowing trustworthy channels through which it might be distributed. Three-fourths of the sums entrusted to him were distributed by the clergymen of the Established Church, dissenting ministers of different denominations, Roman Catholic priests, district visitors, and medical men. No poor-law on earth could have removed the necessity for charity during the pressure. He had heard persons, whose opinions were entitled to respect, say that the distribution had a very beneficial effect, not only as to general feeling among the poor, but actually in preventing bread riots. At a recent meeting of the police magistrates, Mr. Hall, the chief magistrate, made a communication from the Home Office. He intimated that it was thought inexpedient to make the police-courts places where crowds should assemble, and that it was desirable to check that mode of relief. It was then attempted to lay down rules as to how relief should be administered for the future; but a proposal to that effect was negatived by a large majority. It was then unanimously resolved that the magistrates should endeavour to give effect to the views expressed by the authority by which they were bound. 3957.

"8. Your Committee also examined Mr. Yardley, who said that he was the magistrate at the Thames Police Court during the severe part of the last winter, and that his district included the Stepney and Poplar Unions and part of the Whitechapel Union. A very large sum was contributed to the poor-box of the court. The money was distributed among the dock labourers and those who were employed in casual work, generally, about the banks of the river and the wharves. In such a winter as the last it was impossible to carry out inquiries into the character or circumstances of applicants, and, in fact, it was not attempted. The course adopted was this: there was generally a large number of persons, sometimes about 2,000, collected around the court. Between the court and the police-station was a large open space, to which, at a certain hour, the persons were admitted; and after having been kept there for two or three hours, they passed as quickly as possible through a passage leading by the side of the court, whilst officers stationed there distributed silver to each one as he passed. As much as 120 *l.* was given away as silver in one day, but the amount ordinarily given was 80 *l.* or 90 *l.* a day. Generally speaking, a question or two was asked, and the hands of the people were looked at, to ascertain whether their calling was that of extreme hard work. This was the only test that they could apply. He had all along been of opinion that police magistrates were very improper persons to distribute funds in the way in which they were called upon to distribute them during the pressure; it was impossible that they could use that discretion which was desirable. He had no reason to suppose that there was any neglect whatever on the part of the relieving officers in the district. During the 14 years that he had been at the court, not a day passed but some complaint was made to him against a relieving officer. He always investigated those complaints, and invariably found that they were groundless. He had no reason to believe that there was either inability or unwillingness on the part of the relieving officers, on the occasion of the frost, to distribute the relief which they were bound to give to the poor. On the contrary, he had always seen the greatest good-feeling and zeal evinced by them. He did not suppose that any of the persons who applied to him for relief would have been refused parochial relief had they gone to the relieving officers. He felt that the relief afforded by the parish might be sufficient to keep body and soul together, and prevent extreme distress, but that it was not sufficient to keep a working man in that condition in which he should be when he returned to hard work. He did not communicate with the parish authorities on the subject of the funds at his disposal. He considered that they should be administered quite independently of parochial relief, and that the money distributed should be in addition to the parish allowance. The best mode of administering relief was, as a general rule, the giving of money. If a person were relieved in kind, and were inclined to be improvident, he would take the articles and sell them for an inadequate value. He was sorry to say that he had heard, and he had reason to believe it, that there was a particular public-house in his district where any amount of bread could have been obtained for 4 *d.* per quartern-loaf; in fact, the bread which was given in relief was taken there and exchanged for beer, and then sold by the publican at a reduced rate. He was well aware that there were flocks of 4115.

people going about the streets crying that they were snowed out; many of them, no doubt, were gross impostors. If they had presented themselves to him and had the appearance of hardworking men, he had no doubt but that he should have relieved them. The amount sent to the Thames Police Court for distribution during the pressure was 4,000 *l.*, a sum equal to that which had been sent during the eight preceding years. He had refused considerable sums of money, and had returned as much as he possibly could. He was afraid that the public, in consequence of recent exposures, had felt some doubt and hesitation about relying upon charitable institutions. People were eager to apply their money to the relief of distress, and went to the magistrates for want of, as they considered, better means. There were, no doubt, charitable institutions in every district in the Metropolis which could apply the funds better than the magistrates, as they would have better means of ascertaining, by personal acquaintance with them, the proper objects. He was aware that it had been stated in some of the public prints that the Poor Law, as it was in operation in the Metropolis, was inadequate to the relief of the destitute; but that was not his own opinion. In his district it was distributed to a sufficient amount to prevent extreme distress. He considered it a wise arrangement that outdoor relief should be so inadequate as to be a constant stimulus to the person receiving it to maintain himself. Indiscriminate distribution of bounty had a demoralising effect upon the poor struggling to be independent. He thought, however, that the amount of money sent for distribution upon charitable objects during the last winter did infinitely more good than harm.

2834. "9. Your Committee also examined Mr. Thomas Paynter, the magistrate at the Westminster Police Court, who stated to Your Committee that during the severe weather in the past winter, 811 *l.* was distributed from the poor-box at the police-court. The amount was contributed, apparently, under the impression that the magistrates would be able to distinguish the cases deserving of relief. As they are termed 'police magistrates,' it was supposed that they had control over the police and could employ them to investigate cases. This, however, was an entire mistake. They have no more connexion with and no more control over the police than they have over the Life Guards or the officers of the House of Commons. The magistrates, who are merely judicial officers, can only act within the walls of their own court, and know nothing of the district around them. At the time of the pressure, Sir Richard Mayne kindly allowed the assistance of one or two officers. The course adopted at the police-court with reference to the distribution of relief was to issue cards, to be filled up with the name of the person applying for aid, the cause of his distress, the number of his family, and the name of the person recommending him. The magistrate, when the card was returned, gave directions as to what amount should be given in the case. The person recommending, however, was frequently as much unknown as the applicant. The district visitors, often inexperienced persons, were too goodnatured, and too frequently did not inquire sufficiently before giving recommendations. They would listen to the tales of persons who alleged that they were in distress, whilst in some instances they were at the time in work. A district visitor sent to the police-court applications for the whole of the occupiers of a street and a small square, and when inquiry was made, she said that she really could not refuse the applicants—they all seemed in want. The arrangements which were made to some extent remedied the evil of indiscriminate distribution, but only partially. He would be glad to think that one-half of the money distributed was really well and properly applied. That character of relief was decidedly calculated to encourage imposture and pauperism, and its tendency was, and its conclusion would be, to make a large portion of the labouring classes of London a mob of mendicants. At the time of the pressure, all those evils which led to the passing of the Poor Law Amendment Act were rife. There were cases where men applied at the Westminster Police Court in the morning, and then went and obtained relief at the Thames Police Court; and there were cases of personation and positive fraud in obtaining cards and presenting them at the court. At Westminster they were quite resolved that they would not again undertake any such task of distributing relief. The classes from whom the greatest number of applications came were bricklayers and brickmakers, and the navvies, probably three classes (two at least) who made higher wages than any others in London. Orders had been made at the court for the wages of navvies as high as 7 *s.* 6 *d.* per day. He did not imagine that the applications at the workhouse became so numerous as would otherwise have been the case, because the persons found it much easier to obtain 7 *s.* or 10 *s.* from the magistrates, and a test of work and very strict inquiry were avoided. Numbers of complaints had been made at the court by persons, that they could not obtain relief from the parish; but, upon inquiry, they had almost always turned out to be ill-founded. The persons complaining had been almost invariably offered the workhouse at least. There were, however, considerable numbers and classes of persons in London requiring assistance, whom the Poor Law did not, and whom perhaps no Poor Law could relieve. His impression was that a general law could not undertake to do more than to meet cases of extreme destitution. He should say that benevolence was extended as far as could be wished for the class of persons who would not be relieved by the Poor Law.

4115. "10. Your Committee also examined Mr. Andrew S. Knox, magistrate at the Worship-street Police Court, whose district comprised Spitalfields, Bethnal-green, Shoreditch, and part of Whitechapel, where there was great distress during last winter. A sum of about 2,500 *l.* was forwarded to him for distribution. He proceeded upon the system of house-to-house visitation. About 700 *l.* or 800 *l.* was disposed of from the court, and the rest was entrusted to clergymen and others of the principal ratepayers. He had no reason whatever

ever to complain of the Poor Law authorities in the district; every recommendation which he made to them was inquired into and attended to; and, from daily personal contact with those gentlemen, he believed them to be men of discretion and humanity. At the same time, he was bound to say that he was an eyewitness of frightful misery in the district; but he believed that neither the Poor Law, nor any poor-law that could be devised, would touch that misery. Large numbers in extreme destitution made no application to the authorities. There seemed to be a perfect horror amongst the people of applying for parochial assistance, and it arose, he believed, from the independent feeling which prevailed amongst them. He would deplore any disarrangement of the general principle of the Poor Law of 1832 as a national calamity; if during the crisis the Guardians had the power of administering relief at their discretion, everything was done that the Legislature of the country could do. Whilst, however, the integrity of the system of the Poor Law should be maintained, it would be a thousand pities if, in centres of misery such as Spitalfields and Bethnal-green, the charity of the public were interfered with; he did not mean the pouring in of permanent charity, but the affording assistance sufficient to keep body and soul together during a crisis like that which was past.

"11. Although the inquiry by Your Committee was directed to ascertain whether the machinery of the Poor Law had been found to be inadequate to relieve the exceptional distress of January 1861, a good deal of evidence was incidentally given as to the effect of the voluntary efforts which were made to supply the assumed insufficiency of the administration by Boards of Guardians. Almost all the witnesses who were examined concurred in thinking that although a great deal of absolute distress was relieved, which otherwise might not have been relieved, yet a very large proportion of the charitable funds was wasted upon undeserving objects; and it is evident to Your Committee that the inevitable tendency of such efforts to supply the supposed defects of Poor Law administration by voluntary agency, unless accompanied by a most careful organization with adequate supervision, is to encourage imposture.

"12. The evidence leaves no reason to doubt that the Guardians could have raised the funds which would have been required, if the relief of the whole of the distress had been cast upon them; but it must be borne in mind that the chief portion of the destitution was confined to those districts of the Metropolis which are always most heavily burthened with the poor. In some of the eastern parishes, where there is always a large class wavering between the condition of ratepayers and that of paupers, considerable difficulty is experienced in ordinary times in obtaining payment of the rates; and Mr. John Day, assistant overseer and vestry clerk of St. George's, Southwark, stated that in that parish 'the number of summonses for poor-rates made out each quarter is from 1,200 to 1,500.'

"13. It is obvious, therefore, that the additional charge upon the pauperised parishes would have sensibly increased the difficulties of the ratepayers. 7580.

"14. The resolution at which Your Committee have arrived, upon a consideration of the whole of the evidence submitted to them upon this branch of the inquiry, is—

> "That with respect to the extraordinary prevalence of distress in the metropolis in the winter of 1860-61, to which the attention of Your Committee was particularly directed, they received strong evidence that the duty of relieving such distress could have been borne, inasmuch as the legal machinery of administration was sufficient, and the Guardians possessed the requisite powers for raising the necessary funds for the purpose; but the legal charge for the purpose would have pressed very heavily on some parishes within the metropolis.
>
> "The regular action, however, of the Poor Law was, to a considerable extent, rendered unnecessary by voluntary contributions; and however desirable it is that great emergencies should be relieved by spontaneous charity, Your Committee find that some evil results arose from the want of a sufficient organisation on the occasion in question.

"Petitions referred to the Committee.

"15. Your Committee then proceeded to consider the allegations contained in the petitions which had been presented to the House of Commons, and referred to Your Committee, against the continuance of the powers and authority exercised by the Poor Law Board. It appeared, on reference to the petitions, that they very nearly all contained the same allegations, suggested the same alterations of the law, and ended with the same prayer. Mr. Henry Potter, late vice-chairman of the Board of Guardians of the West London Union, gave Your Committee the following history of the manner in which several of the petitions in question originated:—

"16. The Guardians of the West London Union, on receipt of the order of the 23d of August 1859, with reference to the religious instruction of orphans in workhouses, resolved that the workhouse officers should be directed not to carry its provisions into effect, and that the Guardians should co-operate with any other union seeking the repeal or withdrawal of the order. The Guardians considered that the order called upon them to appoint a priest for the instruction of the Roman Catholic children. They had a conference with the guardians of the Wandsworth and Clapham Union, and at the interview it was agreed 4683–4756.

that the Protestant Alliance should be requested to convene a meeting of metropolitan guardians, to consider the course to be taken in the matter. A meeting was called by the Protestant Alliance, and a committee was then appointed to arrange for a meeting of the guardians of the several unions in the kingdom. This meeting was held at Radley's Hotel, and nearly or quite a hundred guardians were present. Forty unions were represented, and 12 others gave their concurrence. A resolution was passed, appointing a committee to seek the withdrawal of the order of the 23d of August 1859, and to watch the Poor Law Board Continuance Bill, and to seek a modification of the powers of the Poor Law Board. He was appointed one of the honorary secretaries of the committee. A circular letter urging Boards of Guardians to memorialize against the renewal of the powers of the Board, and a form of petition, were sent to all the Boards of Guardians. The circular was not discussed at the meeting, it was drawn up subsequently by the committee. The members of the committee were summoned to attend the meeting at which the circular letter was framed, but they were not all present. There were 18 members of the committee; he could not say from memory, but he thought six attended. The names of all the committee are attached to the circular. They inferred that the whole body concurred, as they did not hear that any one objected. In consequence of the circular a large number of petitions were presented.

"17. In support of the petitions, Your Committee examined several witnesses, and amongst them the chairmen, vice-chairmen, and clerks of the unions from which the petitions had emanated. It was clear to Your Committee that, in the great majority of cases, the petitions had been adopted and presented to Parliament without deliberation, and without any clearly-defined views as to the limitation of the powers of the Poor Law Board. The chief points embraced by the petitions were, that the guardians should be invested with greater discretion in the administration of out-door relief, that the power possessed by the Poor Law Board to issue General Orders should be restricted, and that the guardians should have uncontrolled power of appointing and dismissing the officers of the union. These were the only points arising out of the petitions which were strongly pressed upon the notice of Your Committee, except certain matters connected with the audit of Poor Law accounts, to which your Committee will hereafter refer.

"Power of Poor Law Board to issue General Orders.

"18. The power to make orders for the management of the poor and administration of the laws for their relief was conferred upon the central authority by the 4 & 5 Will. 4, c. 76, sect. 15; and in exercise of that power they have issued several orders regulating the administration of out-door relief, the chief of which are the order of 21st December 1844, usually known as the Prohibitory Order, and the Out-door Relief Regulation Order of the 14th of December 1852. The former of these orders is in force in the agricultural, and the latter in the manufacturing, unions, and each order contains such numerous exceptions as to provide for all cases to which the general rule would be inapplicable. The views of the witnesses as to greater discretion being confided to guardians in granting relief were vague and general, and no cases of hardship or suffering were proved to Your Committee to have resulted from the powers of the guardians being limited as they are at present. It is obvious that if uniformity of principle is to be observed, the administration of relief must be regulated by fixed rules and orders of a general character, and Your Committee do not consider that any advantage could result from confiding any further powers to the guardians in respect to grants of outdoor relief; and being, moreover, of opinion that the authority vested in the Central Board to regulate the administration of the laws for the relief of the poor has been exercised with general advantage, have agreed to the following resolution; viz.:—

> "That the power of issuing General Orders now possessed by the Poor Law Board is salutary and useful, and should be continued.

"Power of the Poor Law Board to order the Dismissal of Paid Officers.

"19. Some difference of opinion was expressed to Your Committee upon the subject of the appointment and removal of Poor Law officers. Those officers are at present selected and appointed by the guardians. When, however, the appointments are made, they are reported to the Poor Law Board for their sanction, and it is also requsite that the Board should approve of the salaries assigned by the guardians to their officers. The power of dismissing an officer once duly appointed and approved resides exclusively in the Poor Law Board, and the 48th section of the Act of 4 & 5 Will. 4, c. 76, prescribes the grounds upon which such dismissal may take place. It was contended by several of the witnesses that the power of dismissal should be transferred from the Poor Law Board to the guardians, and the reason almost invariably assigned in support of this suggestion was that the guardians must necessarily be better judges of the conduct and capacity of their officers than the Poor Law Board can possibly be. The inconvenience which it is alleged results from the Poor Law Board alone possessing the power of dismissal, is referred to in the evidence of Mr. Harrop, the clerk to the guardians of the township of Manchester. He said: 'We have frequently had officers who have been very inefficient, in many instances 'men who have not been proper officers to retain, and whom the guardians could not 'remove, and no cases could ever be established against them whereby the Poor Law 'Board

'Board would feel justified in removing them.' If the central Board had known the merits of some of the officers as clearly as the guardians have done, they would have been able to have formed a different opinion from what they can form from any communications that are made on the subject. It is necessary to see the dealing and working of the officers, to see the general capacity, intelligence, and the fitness and propriety of an officer's conduct. There is a great deal to be done in a large establishment; and so long as things are kept in fair order, you cannot easily prove a servant an improper person to remain, perhaps, in the estimation of the Poor Law Board. Mr. Bowring, the clerk to the guardians of the City of London Union, represented the views of those who are opposed to the transfer to the Boards of Guardians of the power of dismissal. He said, 'I think that if the Legis- 4465.
'lature would give Boards of Guardians power to remove Poor Law officers, there would be
'an end at once to the integrity and the proper administration of the law with regard to the
'poor. It is a peculiar law, and the officers are peculiarly placed; they have, on the one
'hand, the pressure of poverty and destitution in every possible phase, and they have on
'the other hand the pressure of the contribution to the poor rates by those parties who are
'not very far from pauperism themselves, and the officer is consequently placed in a very
'difficult position. If, on the one hand, he were to refuse improperly, he would be dis-
'missed at once for refusal; if, on the other hand, he were to give relief largely, he would
'then run the risk of being dismissed for being too liberal.' In the case of a complaint against an officer, the Poor Law Board are perfectly dispassionate and calm, and uninterested in anything beyond the administration of the law, and they simply adjudicate upon evidence on oath before them. The Board are in the position to the guardians of a jury in a court of law.

"Clergymen who have been acting as chairmen of Boards of Guardians, and have been examined before Your Committee, although recommending that the guardians should have the power of dismissing their officers, have considered it necessary to except the chaplains of workhouses. The Rev. J. Ayre, chairman of the Board of Guardians of the parish of St. John, Hampstead, said, 'As a clergyman, I will uphold clerical rights. I should cer- 8221.
'tainly be very sorry that a clergyman, acting under a license from the bishop, should be
'dismissed at the pleasure of a Board of Guardians. The chaplain would hardly be an
'efficient officer if the Guardians had that power.'

"20. The evidence of Mr. Streeten, the Auditor of the Accounts of the parish of St. Pancras, shows the result which might be anticipated if Boards of Guardians were entrusted with the powers which in some instances have been claimed. He said, 'The vestry under 7215,
'the Local Act appoint all the officers of the directors. The directors may suspend those
'officers, but the vestry alone have the power of dismissing them, and I believe that that is
'very pernicious. I consider that there is a want of independence in the officers which is
'lamentable. I believe that there have been and are still officers in that parish who are
'afraid to do what they believe to be right, because they are afraid of losing their positions.
'They must take their directors from these fluctuating bodies, and that, I think, is very
'pernicious, especially with reference to the officers in the workhouse, because the control
'and management and treatment of the poor in the workhouse vary very much, according
'to the party who may happen to be in power.' The witness had opportunity of comparing the position of officers in parishes in which the vestry are empowered to dismiss, and in unions in which the Poor Law Board alone have that power, and he considered that the officers in the former case were very much more dependent than in the latter.

"21. The guardians already possess the power of dismissing the inferior officers in their service; and Your Committee do not think it expedient to suggest that such power should be extended to the superior officers, whose duties are prescribed by the general consolidated order. It appears to Your Committee that if the tenure of the office of the latter class of officers was altogether uncontrolled by the central authority, they would not only perform their duties less independently, but would be subject to removal from personal bias, political causes, and various other motives which ought not to be allowed to operate in deciding upon their fitness or unfitness to retain office. Your Committee have, therefore, arrived at the following Resolution, viz.:

> "That in order to secure the true discharge of their duties by the principal officers of unions and parishes, it is, in the opinion of Your Committee, essential that their tenure of office should not be terminable without the concurrence of the Central Authority; and it is not expedient, therefore, that the power which the Guardians already possess of dismissing the subordinate officers should be further extended.

"Continuance of a Central Authority.

"22. Your Committee then proceeded to examine several witnesses upon the subject of the expediency of the continuance of the central authority. The witnesses consisted principally of chairmen and vice-chairmen of Boards of Guardians, and of clerks to Poor Law Unions. Your Committee found that the concurrence of opinion in favour of the existence and continuance of a central Board was almost unanimous. Mr. Adamson, clerk to the guardians of the Salford Union, says, 'I am satisfied that without a central authority abuses 495.
'would creep in in the administration of the law, as they did before the passing of the Poor
'Law Amendment Act.'

1222. " 23. Mr. Whitworth, clerk to the guardians of the Barton-upon-Irwell Union, ' is decidedly ' in favour of a central control over the entire machinery and operations and payments of ' the Poor Law officers and Boards of Guardians.' Mr. Crawshaw, chairman of the 2917. guardians of the Sheffield Union, states, ' The guardians are of opinion that the Poor Law Board ought to continue to exist.' Lord George Cavendish, chairman of the Board of 3223. Guardians of the Bakewell Union, thinks that ' there is great advantage derived from the ' general supervision of the Poor Law Board, and from the periodical visits of the inspector.' ' Without them,' he says, ' I think we should get into a very great mess. I frequently find ' that it is rather a relief to the guardians if there is anything unpleasant to do, to beg that ' it may be referred to the Central Board for their opinion. If anything, they are apt to ' throw a little too much responsibility off their own shoulders, and put it on to the Poor ' Law Board.' Mr. Bowring, clerk to the Guardians of the City of London Union, states, 9085. ' I do not think that there is any person in the kingdom, knowing anything about the ' administration of the Poor Law, who would dispense with the Poor Law Board. If the ' central authority were dispensed with, you would come back to the state of anarchy and ' confusion which existed previous to 1832 and 1833; and I am afraid that it would be even ' worse, for you would have Boards of Guardians with large funds, instead of churchwardens ' and overseers with small funds. I think it would conform with the opinion of the ' country generally, if a proposition were made to make the Board a permanent esta- ' blishment.'

" 24. Two witnesses, viz., Mr. W. Turner, whose evidence has already been referred to, and Mr. R. E. Warwick, Deputy Chairman of the City of London Union, were of opinion that the Central Board should be entirely abolished; and Mr. W. Horsfall, formerly one 6142. 7945. of the Manchester Board of Guardians, thought that ' the public interest would not 350. ' suffer by its abolition.' But with these exceptions, the evidence upon this branch of the inquiry was unanimous, and the advantages of a central supervision are so obvious, that Your Committee have had no hesitation in adopting the following Resolution, viz.:

> " That the continuance of a Central Authority is essential for securing the due and uniform administration of the laws for the relief of the poor, and Your Committee are of opinion that it would contribute to its efficiency if it were placed upon a permanent footing.

" Religious Rights of the Inmates of Workhouses and Schools.

" 25. The next subject which engaged the attention of Your Committee was that of the position, in a religious point of view, of the inmates of workhouses and pauper schools. Your Committee examined numerous witnesses upon this point, and the diversity of opinion which prevailed amongst them was so great, that Your Committee think it desirable in the first instance briefly to refer to the present law and existing regulations of the Poor Law Board upon the subject. It is enacted by the 19th section of 4 & 5 Will 4, c. 76, ' that no ' rules, orders, or regulations of the Poor Law Commissioners, nor any bye-laws at present ' in force, or hereafter to be made, shall oblige any inmate of any workhouse to attend any ' religious service which may be celebrated in a mode contrary to the religious principles of ' such inmate, nor shall authorize the education of any child in such workhouse in any ' religious creed, other than that professed by the parents or surviving parent of such child, ' and to which such parents or parent shall object, or, in the case of an orphan, to which ' the godfather or godmother of such orphan shall object: Provided also, that it shall ' and may be lawful for any licensed minister of the religious persuasion of any inmate ' of such workhouse at all times in the day, on the request of such inmate, to visit such ' workhouse for the purpose of affording religious assistance to such inmate, and also for the ' purpose of instructing his child or children in the principles of their religion.'

" 26. The 43d section of the Act of 7 & 8 Vict. c. 101 (the Act authorising the formation of district schools), also contains the following proviso: ' Provided always, that no rules, ' orders, or regulations of the said Commissioners, nor any regulations made by such district ' Board, shall oblige any inmate of any such school or asylum to attend any religious ser- ' vice which may be celebrated in a mode contrary to the religious principles of such inmate, ' nor shall authorise the education of any child in any religious creed other than that pro- ' fessed by the parents or surviving parent of such child, and to which such parents or sur- ' viving parent may object, or, in the case of an orphan or deserted child, to which his next ' of kin may object. Provided also, that it shall be lawful at all reasonable times of the ' day, according to the rules and regulations to be made for this purpose by the said Board ' (District School Board), for any minister of the religious persuasion possessed by an adult ' inmate of the religious persuasion in which any child has been brought up, or in which ' the parents or surviving parent or next of kin, as the case may be, may desire such child ' to be instructed, to visit the school or asylum at the request of such adult inmate, for the ' purpose of affording to him religious assistance, or to visit such child for the purpose of ' instructing such child in the principles of his religion.'

" 27. By the 10th section of the Act 20 & 21 Vict. c. 48, (the Industrial Schools Act), it is enacted, ' that in every industrial school a book shall be kept by the managers, to ' which access shall be had at all reasonable hours, in which the religious denomination of ' the

'the child, when admitted to the industrial school, shall be entered; and it shall be lawful, 'upon the representation of the parent, or, in case of an orphan, then of the guardian or 'nearest adult relative of any inmate placed in such industrial school under the provisions 'of this Act, for a minister of the religious persuasion of the inmate of such industrial 'school, at certain fixed times of the day, which shall be fixed by the managers for the 'purpose, to visit such school for the purpose of affording religious assistance to such 'inmate, and also for the purpose of instructing such inmate in the principles of his 'religion.' Form 22 (a) in the general order of accounts issued by the Poor Law Commissioners directs, that the religious persuasion of every person in the receipt of in-door relief shall, amongst other particulars, be entered in such form, and on the 23d of August 1859, the Poor Law Board issued an order, directing that the religious persuasion of 'every 'orphan whose godfather or godmother does not give information with regard to the 'religion of such orphan,' should also be entered in such form. The order in question then proceeds to direct, that whenever there shall be in the workhouse any orphan child under the age of 14 years, the master of the said workhouse shall enter in such In-door Relief List as the religious persuasion of such orphan, the religious creed which was professed by the father of such orphan at the time of his death, if the master know or can ascertain the same by reasonable inquiry, or, if the same cannot be so ascertained, the creed professed by the mother of such orphan at the time of her death, if the same be known to the said master, or can be by him in like manner ascertained.

"'Provided always, that if the godfather or godmother of such orphan shall make any 'objection, this article shall not have any force or application.

"'That such orphan, while an inmate of the workhouse, shall not be instructed in any 'other religious creed than that so entered, unless he or she, being above the age of 12 years, 'shall desire to receive instruction in some other creed, and unless he or she be considered 'by the Poor Law Board to be competent to exercise a reasonable judgment on the 'subject.

"'That the master of the workhouse shall, subject to the directions of the guardians of 'the union, take all practicable steps in order to procure the attendance at the workhouse 'from time to time, for the purpose of affording religious instruction to such orphan, of 'some minister of the religious persuasion of the said orphan, as ascertained according 'to the provisions of this order, or according to the information of the godfather or god-'mother.

"'Provided always, that such attendance shall take place at such times as shall not be 'inconsistent with the discipline and good order of the workhouse.

"'That the provisions herein contained, applicable to the master of the workhouse, shall 'extend to the matron in cases in which there shall be no master, or in which he shall be 'absent, or his office shall be vacant.'

"28. Upon consideration of the provisions of the law, and the orders of the Poor Law Board, it is evident to Your Committee that every intention has existed to afford religious freedom to all inmates of workhouses and pauper schools, and to protect them against any undue interference with their religious persuasion and predilections.

"29. It has been alleged, however, to Your Committee that the provisions and regulations in question afford very inadequately, in practice, the protection intended; and Your Committee beg to refer to the very full evidence upon this subject given by the Rev. John Morris, Catholic priest, and secretary to a committee for bringing the position of Catholics in workhouses before a Committee of the House. The following points are collected from Mr. Morris's evidence: That the order (Accounts Order, dated the 17th March 1847) of 8424.
the Poor Law Board requires that the religion of every inmate of a workhouse shall be entered in the In-door Relief List, without distinction of age or sex; no one but an official or a guardian can see the Creed Register; nothing comes of the fact of the religion of a Catholic being registered, because that fact does not authorise a priest to visit the case. Many attempts have been made by priests to ascertain who are Catholics, but the information has been refused. A Catholic inmate may on request see a priest, but this depends on the goodwill of the officials at the workhouse; the inmates are not officially informed that they have the right to request the visit of a priest; most of them know nothing of their rights. I am not aware that any Catholic inmate has been compelled to attend Protestant form of worship, but there is a sort of moral compulsion tending to that result. The guardians are permitted to allow inmates to go to their own places of worship. I should wish the Legislature to provide them with the means of attending their own worship on Sunday morning; at present their attendance is only permissive, and that permission is generally withheld in the Metropolis, unless the inmate is 60 years of age; therefore, until then, they are prevented altogether from attending mass. Such attendance is an obligation on Catholics; no doubt mass might be celebrated in the workhouse if the guardians would permit it. The Catholic Church would sanction it. There ought to be a complete register, accessible to every one, and I think every one might have the power of appeal. I think there should be a paid Catholic chaplain in certain workhouses where the work is heavy, and there are not many such workhouses. The Protestants already have such an officer, because they do not feel themselves separated from the Church of England by anything like the same distance as Catholics. There are 356 workhouses in which there are no adult Catholics, and there are 575 in which there are not less than 10. Mr. Ewart's Return shows that there are in the Metropolis 13,514 Church of England adults, and 3,962 children; 2,157 adult Catholics, and 372 Catholic children; 578 Dissenters, and 37 children of

Dissenters. The disproportion is very large. The discretion as to paying a Roman Catholic chaplain might be left with the Poor Law Board. The rule should be the number of Catholic inmates; the appointment should be with the Poor Law Board, and certainly not with the Guardians. It would be a great improvement if Catholic children could be collected in houses where they could be guided by officers of their own religion; this would be impracticable as regards adults. In speaking of the workhouses, I certainly have no objection to their discipline; I refer to religion only. For instance, I would prefer that mass should be said in workhouses rather than that they should have the privilege of going out to mass. I do not advocate separate workhouses for adult Catholics, but most certainly I do for Catholic children. I see no difficulty in the matter, and I am most anxious to see it done. The room set apart for mass need not be permanently set apart, for the priest would have a portable altar. In London there are 10 workhouses, belonging to parishes containing, at the Census of 1851, a population of 877,540, not required to keep a Creed Register; they have never received an order to keep such a register. Priests have been refused access to Catholic children at almost every workhouse in London.

"30. Our petition to the Legislature is that the words 'on the request of an inmate' may be erased from the Statute. The proper priest to attend at any workhouse is the priest to whom his bishop committed the duty. As to the time of visiting, I should have no objection to the terms 'at all reasonable times;' but the Act of Parliament says 'at all times in the day.'

"31. The argument that the discipline of the house is disturbed by inmates going out to mass is in favour of mass being said in the house. I find that Mr. Ewart's Return gives, for England and Wales—adult members of the Church of England, 60,632; children ditto, 35,592. Taking Catholic adults as there returned at 5,572, the children, at the same proportion to adults as those of the Church of England, would be 3,376; but the Return gives only 2,378, just 1,000 too few. I have not the least doubt that the Return for the Metropolis was grossly inaccurate.

"32. The case of the district schools is the most flagrant, for I see by the 13th Report there are 2,194 children in those schools in the Metropolis, and of those ten only are stated to be Catholics. I wish the Committee to infer from this that there are a great number of Catholic children, paupers in workhouse schools, who are receiving no instruction from their clergy.

"33. About 60 per cent. of the children in these schools are orphans. As the law stands at present, a positive objection is required to be made by some one before a Catholic child can be brought up as a Catholic.

"34. Under the Poor Law Amendment Act, the objection must be made by the parent, surviving parent, or, in the case of an orphan, by the godfather or godmother of the orphan; under the District Schools Act, the objection must be made by the parent, or, in the case of an orphan or deserted child, by the next of kin: thus two objections may have to be made for the same child—one in the workhouse by the godfather, and another in the district school by the next of kin. The Poor Law Amendment Act makes no provision for a deserted child whatever; but as none but inmates can ask for instruction for their children, the deserted child is in that respect unprovided for; but such a child often has had instruction for some years in the religion of its father, and therefore it is a grievous injury that there is no legal provision that he should be brought up in the religion in which he was originally baptized.

"35. Godfathers and godmothers, and indeed parents, do not know their rights; so that, in fact, the parents and children may be registered as Catholics, and yet the children may be sent off to a district school and educated as Protestants, without the parents being informed of it, or that they may have a legal power to prevent it. Often, when they know it to be the case, they think there is no help for it, and many priests think the same.

"36. Mr. Morris's evidence was so complete in regard to his view of the subject, and he represented so fully the views of the other Roman Catholic witnesses examined, that Your Committee think it unnecessary to refer to their evidence.

"37. Your Committee also examined several witnesses whose opinions are strongly opposed to those expressed by Mr. Morris. Mr. William Turner, chairman of the Board of Guardians of the parish of St. Pancras, stated, in substance, that the Guardians have a list of the Roman Catholics in the St. Pancras Workhouse, made at the request of the parties to be entered as Roman Catholics. Anyone who chooses may claim to be a Roman Catholic, but the Guardians object to the inmates being compelled to state what their religion is; it is inquisitorial to exact any such thing. They object to the column in one of the books of the Poor Law Board showing the religious persuasion of a person entering the house. He maintains that a Creed Register is quite unnecessary, for the people have every opportunity of stating their wishes. It is no prejudice to a man in the workhouse to state that he is a Catholic; the fact of his being a Roman Catholic is sufficient to enable him to go out on Sundays, provided he is well-conducted. If a Roman Catholic expresses a wish as to the religious education of his children, it would be attended to; but as regards orphans, it would seem to be preposterous to expect the master to search for and hunt out the religion of every child.

"38. There

"38. There ought to be no inquiry about the orphans; they ought to be sent to the school in the ordinary way. They are taught in the school without any sectarianism; no entry is made in the books of the religion of those children whose parents it is perfectly well known are Catholics. He thinks there would be an impropriety in registering as Roman Catholics those children both of whose parents were dead and were well known to be Roman Catholics; they ought to be sent to the schools in the ordinary way, for the Guardians have to keep them and to manage them, as they do other children. Such children would be brought up in the established religion of the country. This rule would apply to all other Dissenters. It would be inconvenient to do more for religion than to provide for a minister of one persuasion. The Guardians find Roman Catholic adults desirous of listening to the teaching of the chaplain of the house, and there is no rule to prevent it. There are persons of different persuasions who come to the workhouse; they have the opportunity of going out to chapel if they like; but they fall in very generally, and get reconciled to it. With regard to the children, they are simply taught what the Guardians believe to be the truth.

"39. He thinks that there are more Roman Catholics in the workhouse than those who have thus registered themselves. There are about 300 children at school; the Guardians do not recognise any of them as being Roman Catholics. He thinks that if a man had deserted his family, whom the priest knew to be a Catholic and his family to have been Catholics, the Guardians would object to his interference with, or to his having access to, those children: the children having been deserted, the Guardians should be allowed to train them up in what they believe to be the paths of rectitude; having to keep them, they should be allowed to train them, and to endeavour to make something better of them. There are many objections to a Roman Catholic chaplain; if the Roman Catholics had a paid chaplain, all classes of Dissenters might claim the same privilege.

"40. He objects to its being made compulsory on Roman Catholics to attend their religious worship. He thinks a deserted child should be permitted to declare itself a Roman Catholic when it is about 12 or 15 years old; but that should not be allowed while the child is in the workhouse, for the Guardians object to Roman Catholic priests coming into the workhouse. If inmates apply for them, the Guardians would not object; there is no printed rule put up in the workhouse showing the adults that they may claim to send for a priest; but the law permits them, he believes, to send for a priest. He has known instances in which children of Roman Catholics in the workhouse have been instructed and brought up as Protestants, and he has no doubt that the parents knew this.

"41. Upon consideration of these conflicting views and opinions, Your Committee have arrived at the conclusion that they can recommend the adoption of neither in their integrity. Your Committee consider that, whilst on the one hand the clear intention of the Legislature and of the regulations of the Poor Law Board in favour of the religious freedom of the inmates in workhouses should be practically carried out, on the other hand it is not expedient to do more than this, and that to attempt to do so would only be to increase the difficulties which almost necessarily spring from the profession of different creeds by inmates of the same establishments. Your Committee, after very full and careful consideration of this difficult and delicate branch of the inquiry, have adopted the following resolutions, viz.:—

"That, with the view of giving full effect to the obvious intention of the Legislature in regard to the religious rights of those inmates of workhouses and district schools who are not members of the Church of England, Your Committee recommend as follows:—

"1. That there shall be kept in all workhouses and in all district and separate pauper schools, a Creed Register, separate from other registers, which shall be open to the inspection of all clergymen and ministers of religion officiating within the union.

"2. That any such clergyman or minister shall be at liberty, subject to regulations sanctioned by the Poor Law Board, to visit the inmates of his own creed in such workhouse or school, whether sent for or not; and shall, under like regulations, be allowed to assemble such inmates in some convenient place for a reasonable time on such days, not being less than one day in each week, as may be appointed by the Guardians.

"3. That every inmate for whom a religious service, according to his own creed, shall not be provided in the workhouse on Sundays, and on any other days required by his religion to be kept sacred, shall be permitted, under regulations sanctioned by the Poor Law Board, to attend once on such days some place of worship of his own denomination, if within a convenient distance.

"4. That the Poor Law Board may require, on application to them, and on being satisfied that there are reasonable grounds for doing so, that orphans under twelve years of age, not belonging to the Established Church, shall be sent to any school of their own denomination, either certified as an industrial school, or licensed by the Poor Law Board, under the Act 25 & 26 Vict. c. 44, the managers of which shall be willing to receive such children, upon being paid at the rate of the average cost of the maintenance of the inmates of the workhouse of the union or district or separate school from which they shall be sent; but the Guardians shall not be required to pay any travelling expenses respecting such orphan child.

"5. That the following regulations shall be substituted for those contained in the order of the Poor Law Board, dated the 23d day of August 1859, and made the subject of legislative enactment:

"Article I. That whenever there shall be in the workhouse or district school any child, whether the parents or surviving parent of such child be in the workhouse, or whether such child be an orphan or deserted child under the age of fourteen years, the master or superintendent of the workhouse or district school shall enter in such creed register list, as the religious persuasion of such child, the religious creed of the father, if the master know or can ascertain the same by reasonable inquiry, or if the same cannot be so ascertained, the creed of the mother of such child, if the same be known to the said master, or can be by him in like manner ascertained. The religion of an illegitimate child shall be considered as that of his or her mother.

"Article II. Such child, while an inmate of any workhouse or district or separate school, visited by a minister of his or her religious creed for the purpose of religious instruction, shall not be instructed in any other religious creed, or permitted to attend any other religious service than that so entered, unless he or she, being above the age of 12 years, shall desire to receive instruction in some other creed, and unless he or she be considered by the Poor Law Board to be competent to exercise a reasonable judgment upon the subject.

"Article III. The master of the workhouse, or the superintendent of the district or other pauper school, shall, subject to the directions of the Guardians of the Union, permit the attendance at the workhouse from time to time, for the purpose of affording religious instruction to such child, of some minister of the religious persuasion of the said child, as ascertained according to the provisions of this order.

"Provided always, that such attendance shall take place at such times as shall not be inconsistent with the discipline and good order of the workhouse or school.

"Article IV. Failing other evidence, a certificate of the baptism of the child, authenticated by the minister who has lawful custody of the register in which the baptism of such child has been recorded, shall be deemed sufficient evidence of that child's religion, and the evidence on which the entry of religion has been made shall also be recorded. In the case of all entries, the correctness of which is called in question, the Poor Law Board shall have the power to examine into the case, and to direct the amendment of the entry, if they shall think proper.

"6. That the inmates of the workhouse shall be allowed the use of such religious books as may be sanctioned by the Poor Law Board.

"7. That in unions or parishes where there is a numerous body of paupers not being of the Established Church requiring spiritual ministrations, it would be desirable, in the opinion of this Committee, that some remuneration should be provided for the minister attending in such cases.

"Pauper Education.

"42. The importance of the subject, as well as the interest which it has recently excited, led your Committee to extend their inquiry very fully into the state of pauper education. Several witnesses were examined, and a great deal of evidence submitted to us in the course of our investigation. It will be convenient, in stating the result of their inquiry upon this subject, to refer—

"First, to in-door, or workhouse education.

"Secondly, to out-door education.

"43. A large proportion of the inmates of workhouses in England and Wales consist of children of school age. Although the numbers vary with the pauperism of the kingdom, and in times of abundant employment are comparatively low, yet the average number in the workhouse schools is so large, that the making of adequate provision for their education must be regarded as a very important object of Poor Law administration. The urgency of the subject early attracted the attention of the Poor Law Commissioners. 'At first,' says Mr. Lumley, 'when new unions were formed and new workhouses were erected, the classi-'fication was, as far as possible, so arranged as to separate children from adults in the 'wards of workhouses. This was carried on to a great extent, and with as much success 'as was practicable under the circumstances of the early formation of unions; further steps
12530. 'have been taken since as the system has progressed.' Guardians became more alive to the advantages of education; a better class of teachers succeeded the paupers, who were too frequently employed in the schools; and by degrees, within a few years, a marked
4720. improvement took place in the education of children in workhouses. Mr. Coode, who has had much experience in Poor Law administration, and was well acquainted with the con-
12958. dition of pauper education before the passing of the Poor Law Amendment Act, stated, that in the year 1848, when he went on an inquiry concerning the operation of the Law of Removal, he visited every workhouse in his district, extending over four counties, and parts of four more. 'Of all the things,' he says, 'I have ever observed in Poor Law administra-'tion, no one thing ever struck me so much as the great change that had taken place in 'the whole aspect, manner, and intelligence of the children that I saw in the workhouses.' * * * 'The whole aspect of things was very greatly improved; the practical regula-'tions of the workhouses were so much better, and the class of officers, and their conduct,

'was

'was so greatly improved, that it was impossible to doubt that the change, all of which 'had taken place in a comparatively short interval of time under the present law, had been 'most beneficial.' This change, however, although a great improvement upon the system which formerly prevailed, was yet considered to be so unsatisfactory, that in 1847-48, workhouse schools were brought under the inspection of the Committee of Council upon Education, and an annual Parliamentary grant of 30,000*l.* was placed at the disposal of the Poor Law Board, for the payment of the salaries of workhouse teachers. This system has now been in operation for a period of about 16 years. As to the effect of it in raising the education of children in workhouses to a satisfactory state, a great deal of conflicting evidence was submitted to your Committee. We shall refer briefly to the most important parts of this evidence, and then state the conclusions to which the consideration of it leads us.

"44. The inefficiency of the existing system of workhouse education was strongly insisted upon by Miss Carpenter, Miss Twining, the Honourable Mrs. Emmeline Way, Mr. Carleton Tufnell, and others. But the most authoritative statement of the objections to it is contained in the Report of the Royal Commissioners upon Education, which was brought under the notice of your Committee. Into the grounds upon which the 'conclusions' of this Report are founded, your Committee felt it right to inquire at some length. We had the advantage of hearing the evidence of the member of the Commission, Mr. Senior, by whom that portion of the Report which relates to pauper education was prepared.

"45. Although the witnesses, Mrs. L. Twining, Miss Carpenter, and the Honourable Mrs. Emmeline Way expressed opinions very strongly opposed to the system of educating children in workhouses, the inevitable result of which they consider is to demoralise the children, and to confirm them in habits of pauperism, your Committee cannot report that these opinions were supported by facts either authenticated, or if they had been authenticated, sufficiently numerous to justify the conclusions founded upon them.

"46. One of the heads of the Report of the Royal Commission is devoted to the subject of Pauper Education. The Commissioners treat of—

"1. The education of pauper children in workhouses.

"2. The education of pauper children in district and separate schools.

"3. The education of out-door pauper children; and then state the 'conclusions' to which they have been led by a consideration of the whole subject. The conclusions of the Commissioners, and the recommendations which they found upon them, are thus stated:

"'1. That pauperism is hereditary, and that the children born and bred as members of 'that class, furnish the great mass of the pauper and criminal population.'

"'2. That the best prospect of a permanent diminution of pauperism and crime is to be 'found in the proper education of such children.'

"'3. That district and separate schools give an education to the children contained in 'them, which effectually tends to emancipate them from pauperism.'

"'4. That the workhouse schools are generally so managed that the children contained 'in them learn from infancy to regard the workhouses as their homes, and associate with 'grown-up paupers, whose influence destroys their moral character, and prevents the 'growth of a spirit of independence.'

"'5. That the arrangements of workhouses are unavoidably such as to make it extremely 'difficult to procure or retain competent teachers.

"'The inference from these premises is, that the only means of improving the condition 'of pauper education is to compel by law the general establishment of district and separate 'schools, and that this remedy is efficient, the experience of the district and separate schools 'already established proves conclusively.

"'With respect to the children of out-door paupers, our principal conclusions are, 'that a large proportion of them are utterly destitute of education; that the existing law 'gives the Board of Guardians the power, with the consent of the parents, to remedy this, 'but that, from whatever cause, they do not do so. That the children are, as a class, in a 'condition almost as degraded as that of in-door pauper children; and that the remedy for 'this state of things is to be found in making it compulsory on the guardians to insist on 'the education of the child as a condition of out-door relief to the parent, and to provide 'such education out of the rates.' To enable us to estimate the weight which should be attached to conclusions and recommendations of so much importance, your Committee deemed it advisable to examine amongst other witnesses one of the Members of the Commission—Mr. N. W. Senior. Mr. Senior stated the mode in which this portion of the Report was prepared, and the evidence upon which the conclusions and recommendations are founded. 'Substantially,' he says, 'I was the author of that part of the Report' that refers to pauper education. 'The evidence upon which we came to our conclusions respecting pauper education, are the Reports of the Privy Council Inspectors of Schools.' 6516.

* * * 'From their evidence, which we completely relied upon, we drew our conclusions.' 'We did not examine the Inspectors themselves, excepting, I think, Mr. Tufnell; 6520.
'we examined the Reports. I should state, that there was very considerable difficulty in

'obtaining *vivâ voce* examinations under our Commission. I was, perhaps, the only person 'in the Commission whose time was at his own disposal. Our Chairman, as the Committee 'know, was the Duke of Newcastle, whose time was exceedingly valuable; the other mem- 'bers were Mr. Miall, who is very much engaged in literary pursuits, Mr. Goldwin Smith, 'who is a Professor in Oxford, Sir J. T. Coleridge, who was little in town, and was then 'occupied at the Privy Council, and two clergymen, whose time was taken up by their 'duties; in fact, I was the only person whose time was at his own disposal; and we did 'not like *vivâ voce* examination, except with a full Board, and the consequence was that
6523. 'we had few.' 'Are the Committee to understand that the Royal Commission was com- 'posed of persons who were otherwise so much occupied, that they were unable to see the 'witnesses who gave the evidence, or to submit them to any cross-examination? We relied
6524. 'almost completely on this subject on documentary evidence.' 'You actually did not put 'any questions upon that evidence? We had not the witnesses before us. We took the 'Reports of the Inspectors of Schools, whose whole time was employed upon that subject, 'and whose reports were published, and we thought that that was the best evidence that
6525. 'we could have.' 'We did not examine any Poor Law authorities that I am aware of.'
6527. Although the Commissioners 'formed their Report almost exclusively' upon the Annual
6609. Reports of the Inspectors of Workhouse Schools, yet they had also before them the written answers of several persons to whom they addressed a 'circular of questions.' To these
6595. answers, however, the Commissioners did not attach much value. 'I must say,' Mr. Senior observes, 'that I do not attach much importance to many of those answers, because when 'people answer a circular, they answer it often without much consideration, and many of
6597. 'them are persons of very little experience.' 'We made very little use of them (the answers).
6607. 'We did not attach much importance to them.'

"47. It would appear, therefore, that that part of the Report of the Royal Commission which refers to pauper education, conveys no more than the conclusions which one member of the Commission drew from the perusal of the Annual Reports of the Inspectors of Workhouse Schools.

"48. A great deal of evidence was given before your Committee; 1st, as to the character and bearing of these Reports; 2d, as to the progress and actual condition of pauper education.

"49. Your Committee would observe, in the first place, that the Reports of the Inspectors of Workhouse Schools, although they afford evidence of the state of the schools at the periods of inspection, do not furnish any grounds whatever for conclusions upon some of the subjects referred to by the Commissioners. Indeed, one of the most experienced of the inspectors, Mr. Tufnell, protests against these reports being taken as evidence of anything
6358. more than the intellectual condition of the children in the schools. 'A school inspector,' he observes, 'generally can rarely test anything more than the intellectual condition of the 'school.' Whether 'pauperism is hereditary, and the children born and bred as members 'of that class furnish the great mass of the pauper and criminal class,' and whether the best prospect of diminishing pauperism and crime is to be found in the education of 'such 'children' are conclusions upon which some of the inspectors may have incidentally expressed opinions, but in support of which their reports contain no evidence whatever. It has, moreover, been very strongly represented to your Committee, that other and more important conclusions of the Commissioners are not only not supported by the reports upon which it is alleged that they are founded, but are in fact at variance with them. In the
6562. evidence given before your Committee by Mr. Senior, he states that 'according to these reports' the education of children in workhouses 'appears to have been stationary' during the ten years from 1850 to 1861; and such is the impression conveyed in the Report of the Commissioners. No such conclusion, however, can be fairly drawn from these reports. They contain, on the contrary, abundant evidence of the progressive improvement of the schools under inspection. In 1859, Mr. Ruddock, one of the inspectors, writes: 'In very 'many respects I have to congratulate your Lordships and myself upon the improvement 'which has taken place in the condition of the schools generally, more especially within 'the last 18 months; and if I compare their present state with that I first described, 10 years 'ago, I have every reason to be thankful that my labours have not been in vain.' In the following year Mr. Ruddock was 'much struck with the many instances of improvements 'made or attempted in the various schools' which he visited; while in a more recent report he expresses his belief 'that pauper education is proceeding as favourably as the nature of 'its elements will permit. There is a very fair amount of religious, moral and intellectual 'instruction afforded to the large majority of pauper children, and there is a steady exten- 'sion taking place of industrial training.' Another of the inspectors, Mr. Bowyer, writing in 1857, says, 'Though I cannot profess to be satisfied that all has been accomplished 'that was possible towards the important object of raising the youthful portion of the 'pauperised classes above the low level on which their parents grovel, I should not do jus- 'tice to the exertions of Boards of Guardians of the Poor Law inspectors, and perhaps I 'may add, your Lordship's inspectors, were I to fail to acknowledge that the education 'imparted to those children in workhouses is, with all its defects and inherent drawbacks, 'on the whole an inestimable benefit both to the children themselves and to society; and 'that a vast number of them who would but for that education remain paupers all their 'lives, or recruit the criminal population, grow up to be industrious men and women, and 'are never more seen in the workhouses.' In 1855, Mr. Symons, another of the Inspectors

of

of the Committee of Council reports: 'A higher estimate of the uses of efficient instruction 'for the labour classes is gradually obtaining ground in my district.' * * * 'Some unions which till lately had steadily opposed the improvement of their schools, now 'desire and promote it.' * * * 'Many of the miniature farms and plots of 'ground connected with the union schools in my district are models of horticulture, and 'the lessons taught the boys are invaluable.' In 1859 Mr. Symons again reports: 'The 'Poor Law Inspectors have co-operated with us in urging the necessity of industrial and 'more practical instruction on Boards of Guardians during many years, and certainly with 'much good result, though not with entire success. Children are now more easily placed 'out in good situations, and do well in service in unions where formerly they used to be 'returned as useless to the workhouse.' The detailed reports of Mr. Tufnell, another of the school inspectors, upon the state of the workhouse schools under his superintendence were submitted to your Committee by Sir John Walsham, one of the Inspectors of the Poor Law Board. These reports, of very recent date, show not only that great improvements have taken place, but that the schools are in a high state of efficiency. Mr. Tufnell, who was personally examined by your Committee, so far from concurring with Mr. Senior that pauper education has been stationary during the last 10 years, thus corroborates the opinion of other witnesses that it has made marked progress: 'We understand that they [workhouse 'schools] have been gradually improving, and now they are better than they have been 'before, and that the result, as tested by inquiries into what has become of the children 'that have been trained in those schools, is very satisfactory; that statement has been 'made before this Committee, and facts have been adduced to prove it; I want to know 'what there is opposed to that which would justify the conclusion of the Education Com-'missioners?' 5889. 5890.

"'The statement in the question is perfectly correct; there has been a very great im-'provement of late years, owing to the improved condition of the teachers that have been 'appointed since that Parliamentary grant has been allowed.'

"50. For the purpose of ascertaining what is the actual condition of pauper education, and how far the conclusions and recommendations of the Royal Commission on Education are well founded, your Committee received a great deal of evidence, oral and documentary, and, in addition to the witnesses before named, they examined several of the Poor Law Inspectors, Sir John Walsham, Mr. Weale, Mr. Gulson, Mr. Hawley, Mr. Doyle, and Mr. Lambert, and two of Her Majesty's Inspectors of Workhouse Schools, Mr. Tufnell and Mr. Browne.

"51. Whatever may have been the state of education in workhouses previously to 1847, there can be no doubt that since that period it has made remarkable progress. The starting point of this improvement was the payment of the salaries of teachers out of the Parliamentary grant, and the consequent examination of workhouse schools by the Inspectors of the Committee of Council upon Education. All the witnesses examined by your Committee concur in attributing to these measures the great change for the better which since that time appears to have taken place in the condition of workhouse schools. The opinion expressed by Mr. Tufnell is in accordance with that given by all the other witnesses:—'The Parliamentary grant has been very beneficial; it has very much improved the chil-'dren in all the workhouses, and it has given a very superior class of masters and mis-'tresses to those who existed under the former system, before that grant was made by 'Parliament.' The effect of this change was strongly insisted on by the witnesses, as shown—

"1st. In the improved intellectual education of the children.

"2d. Their improved industrial training.

"3d. The success of Boards of Guardians in placing the children in service.

"'52. In most workhouses,' Mr. Tufnell says, 'the intellectual education of the children 'is extremely good.' Mr. Lambert, one of the Poor Law Inspectors, is 'decidedly of 'opinion' that the intellectual education of children in workhouses is better than that of the same class out of the workhouse. Mr. Doyle, another of the Poor Law Inspectors, produced evidence in support of the same opinion from the chaplains of nearly all the workhouses in his district. The Rev. J. Armitstead, who is strongly opposed to the system of workhouse education, is yet of opinion that the mere teaching is 'very good;' that it 'can 'hardly be mended.' Mr. Senior says, 'I have always felt that the scholastic education in 'workhouses was not only good, but probably too good.' Indeed upon this point your Committee did not find any difference of opinion amongst the witnesses who were examined. 6358.

"53. In connexion with this very efficient intellectual or merely scholastic education of the children, a system of industrial training appears to have been generally adopted in workhouses. In agricultural unions the boys are usually employed in farm labour and the girls in household work. Mr. Gulson, one of the Poor Law Inspectors, states that 'in 'most unions there are laundries and workhouses specially for the use of the girls, and they 'are taught to wash and get up linen. They are also taught that which is intended to fit 'them for household service.' Mr. Doyle, another of the Poor Law Inspectors, stated to your Committee, that 'in 1847 the Committee of Council, through their inspectors, made 'it almost a condition of giving a grant to a school, that an efficient system of industrial 12747.

'training should be introduced into the schools everywhere. There was hardly a union in 'my district in which the means of industrial training were not provided for boys and girls. 'Land was taken for boys; men were employed to teach them shoemaking and tailoring; 'washhouses were built for girls, and industrial trainers appointed and paid by the Com- 'mittee of Council on Education. Any person who will look at the reports of the Com- 'mittee of Council on Education will be surprised to find the extent to which industrial 'occupation is carried on, and still more surprised at the result of it, as shown by the very 'large profits which those boy-labourers on farms are able to make in the guardians' 'accounts. The Inspectors' reports for every consecutive year from 1848 down to the pre-
4281. 'sent time, constantly contain balance sheets of school farms. There is no department of 'the Poor Law administration in which so great and so beneficial a change has taken place
4282. 'as in the industrial training of the children in workhouse schools. The whole of the evi- 'dence of the school inspectors appears to me to be as conclusive upon that as upon any 'other point referred to in their reports.' Mr. Hawley, Poor Law Inspector, stated that 'with respect to industrial training, I believe that that portion of the education of the 'children has been pushed as far as it can be in the workhouse schools. With regard to 'the girls, they are taught everything that is useful to them in after life; all sorts of household 'work, sewing, and making and mending their own clothes; and lately, washhouses and laundries 'have been introduced into most of the workhouses, which have been the means of getting 'a great many girls into situations which they otherwise, perhaps, would not have obtained. 'With regard to the boys, I am afraid that industrial training has not been pushed so far 'with them as with the girls, simply for the reason that the guardians have not had it in
5608. 'their power to extend it.' 'Generally,' says Sir J. Walsham, 'the schools now are doing 'all that I apprehend the schools could be required to do. There is scarcely a rural union 'in my district in which they have not land for the boys, and in which some industrial
5855. 'training is not followed for the girls.' In the annual reports of the Inspectors of the Committee of Council there are frequent references to the progress of industrial training. In 1854, Mr. Ruddock reports: 'There has been a gratifying increase in the number of unions 'giving the special industrial instruction to children in field labour. This improvement 'has been greatly facilitated by the consent of the Treasury to allow the salary of the 'labour-superintendents to be repaid out of the Parliamentary grant.' In 1859 he reports: 'In very many cases land to an extent varying from one to twelve acres has been rented 'for the especial instruction of children, and agricultural superintendents engaged. In 'other branches pauper workmen have been removed from the shops, and the boys have 'been employed under a respectable paid trade-master, instead of being dependent upon the 'casual instruction of some pauper who might happen to know the trade. The girls have 'been instructed in washing and ironing in many more workhouses than has hitherto been 'the case, and, in the majority of them, under a respectable paid laundress.' In the following year he says: 'Greater attention is to be noticed in the industrial training of the 'children during the past year than I have been able to report previously. * * * 'There is a continuous increase of out-door industrial employment for the boys, by means 'of renting land and of employing paid agricultural superintendents.' In 1849, Mr. Symons, another of the School Inspectors, reports: 'I trace a great increase of effort to give em- 'ployment with the spade. The proportion of boys thus employed has risen from 12 per 'cent. in 1848 to 22·23 per cent in 1849, and it is still increasing. * * * For girls 'industrial employment exists much oftener than for boys.' In the following year he says: 'To a much greater extent than I ventured to hope, means for industrial training have been 'taken by the different Boards of Guardians; and in 21 spade husbandry has been com- 'menced with various degrees of completeness.' Still later, in 1855, Mr. Symons writes: 'Needlework is, with very few exceptions, taught very fairly everywhere, and in some 'schools admirably. * * * I never now encounter fancy work. That which is done 'consists of making and mending the commonest garments for daily use. Precisely that 'sort of industry is taught to girls which will be of service to the wives of labouring men 'and domestic farm servants. * * * The school work prospers beyond my expecta- 'tions.'

"54. The effect of this combination of industrial with intellectual education is thus described in the reports of Mr. Hedley, Mr. Fraser, and Mr. Hare, three of the Assistant Commissioners who were appointed by the Royal Commission to inquire in several parts of the kingdom into the state of the popular education. The attention of your Committee was drawn by witnesses, Mr. Coode, Mr. Doyle, and Mr. Lambert, to these passages of the Reports which had been presented to the Royal Commission.

"55. Mr. Hedley says:—

"'The only schools in which I have found any industrial training for boys are the 'Workhouse Schools. There the system is decidedly successful in some of its results. The 'boys, though spending only half the day in school, make excellent progress. Indeed, of 'all the schools which I examined, the Workhouse Schools seemed to me to be much the 'best. The workhouse masters, who could compare the schools since the introduction of 'industrial work with the same schools previous to it, spoke in strong terms of the great 'improvement. And in comparing those Workhouse Schools in which it exists with one or 'two in which it does not, I could perceive a striking difference of tone. With industrial 'training the boys are more healthy, more cheerful, and make more progress in half a day's 'study than other boys in the whole day.

"'But

" 'But I cannot see reason to think that any of the same success would attend the introduction of industrial training into ordinary schools.

" 'Its success in Workhouse Schools amounts to this—that the boys are far better with it in health, in attainments, and in fitness for after occupation than they would be without it. But if we compare Workhouse with other Schools, and allow that the boys in the former are superior to those in the latter in reading, writing, &c., I think the difference can be wholly accounted for by the fact that the workhouse boys are perfectly regular in attendance, are under complete control both in and out of schools hours and owing to their small number are constantly taught by the master himself. If boys in ordinary schools, under trained masters, attended school regularly for three hours a day, I do not doubt that the standard of attainments would approach that in Workhouse Schools.

" 'One beneficial effect of industrial training in Workhouse Schools is found in the improved health and spirits of the boys. It is obvious that this recommendation disappears in the case of boys who are at full liberty to work and play. * * * *

" 'With regard to girls, a comparison between Workhouse and other Schools seems to be in favour of industrial training. In some Workhouse Schools the elder girls are taught washing, ironing, and such other house work as there is opportunity to instruct them in. This training really fits them for service, and consequently the girls in such workhouses are in great request as domestic servants.' "—*Reports of Assistant Commissioners,* vol. II. pp. 151, 152.

" 56. Mr. Fraser, in his Report, says :—

" 'While upon this part of my subject, I ought not to omit to notice the very satisfactory condition of many of the Workhouse Schools. I may particularly specify those at Dorchester, Cerne, Yeovil, Hereford, and Ledbury. Not only the intelligence and knowledge, but the healthy cheerful air of the children's faces and manners, impressed itself upon me very vividly. The instruction given is not ambitious in its range, but thoroughly sound of its kind; the writing, almost without exception, good; and the reading of the girls in the Hereford Workhouse, the best for articulation and freedom from provincialism that I heard in the country. It struck me that the condition of the Workhouse Schools very nearly approached the ideal of what elementary education in this county, under our confessedly difficult social circumstances, ought to be,—perfectly unassuming, and perfectly in keeping with what the children's future career is likely to be.

" 'The teachers are rarely persons of what would be called high attainments, have not often even been trained; but the mistresses generally are motherly people of mature age, and they are all, in the instances I have quoted, evidently of strong common sense, and thoroughly understand what is possible in their schools, and what is not. I would point to the mistresses at Dorchester, Cerne, Yeovil, and Hereford, as types of the sort of teacher in whose hands our mixed rural schools would be certain to succeed.

" 'I attribute the efficiency of Workhouse Schools chiefly to the operation of the following causes :—

" '1. The regularity of the attendance of the children. Every child in the house, unless sick, is certain to be in school.

" '2. The adequacy of the teaching power. The schools that I saw were all small, and without pupil teachers, but in no case with more than 20 children to the single instructor.

" '3. The unambitious character of the instruction given, which gives time for what is taught being taught thoroughly.

" '4. The mixture of industrial with mental work, the advantages of which I fully admit where the combination is possible. These children rarely receive more than three hours' culture a day.

" '5. The constant intercourse between the children and their teacher. They are thus out of the reach of (what are too often) the vulgarising and demoralising influences of home: hence, the pronunciation in the Workhouse Schools is very rarely provincial; and in most cases you can hardly believe, as you look on their happy trustful faces, that you have before you a set of pauper children, whose portion, both present and future, is generally assumed to be of all men the most miserable.' "—*Report of Assistant Commissioners,* vol. II. pp. 89, 90.

" 57. Mr. Hare, another of the Assistant Commissioners, observes in his report (Reports of Assistant Commissioners, vol. II. pp. 278, 9) :—

" 'The other schools maintained by local taxation are the Workhouse Schools; the children in those of Hull and Sculcoates are receiving an education very suitable to their circumstances and prospects. The boys in particular appeared to be making fair progress in elementary knowledge; 12 of the Hull boys are returned as learning algebra; I was struck with the distinct reading, fair handwriting, arithmetical celerity, and prompt intelligence of the Sculcoates boys.

" 'At Yarmouth the reading of the boys was tolerable, their spelling defective, their intelligence moderate, their knowledge of geography fair, their writing neat, and their arithmetic, on the whole, creditable; four of them are returned as learning algebra and Euclid. The girls were much less advanced, especially in spelling and geography; their

'best performance being in written recollections of religious lessons. At Ipswich, the boys 'read with distinctness and tolerable fluency, spelt very fairly, answered pretty generally 'and with intelligence, evinced some knowledge, though but partially, of geography, and 'summed moderately well, affording general evidence of careful teaching. I was also 'pleased with the marks of order and painstaking which I saw in the girls' school, where, 'though the progress made was less than among the boys, the reading was good and the 'spelling creditable. The answering was less general and correct; but the writing was 'promising, the arithmetic not bad, and the Scripture exercises were indicative of sound in- 'struction; the administration of the juvenile department of the workhouses of my district, 'is in the main satisfactory. The master of the Sculcoates Union-house frankly admitted 'that the children are sometimes in the company of the adult paupers; but with explana- 'tions which convinced me that this is an exceptional occurrence, and under careful super- 'intendence. At the Hull Workhouse, I was assured that a boy had not been in the bake- 'house for two years, and that equal pains were taken to keep the girls apart from the 'women. Assurances, if possible, still more satisfactory, were given me at Yarmouth and 'Ipswich. The most complete system of industrial training is carried out at Hull, where, 'as the evidence shows, its effects are every way satisfactory, mentally, morally, and 'physically. In the other houses the opportunities are more limited, and the practice is 'less complete, but the good effects are proportionately demonstrated.'"

"58. Your Committee cannot concur in the opinion expressed by some witnesses, that the advantages of this efficient intellectual and industrial education are counteracted by the pernicious influence which is attributed to residence in workhouses. Although that opinion was confidently expressed by some witnesses, yet it was not supported by such facts as would lead your Committee to conclude that it was well founded. Your Committee could not ascertain that there was any ground for the statement made in the Report of the Royal Commission, that children in workhouses 'learn from their infancy to regard the work- 'houses as their homes, and associate with grown-up paupers, whose influence destroys 'their moral character, and prevents the growth of a spirit of independence.' Although the conclusion is stated by the Royal Commission in this unqualified way, yet Mr. Senior, 6655. who drew the Report, informed your Committee that 'some children regard workhouses 6656. 'as hateful, and some regard them as their homes. There is evidence on each side.' The weight of evidence taken by your Committee, however, is wholly at variance with the 'conclusion' of the Commissioners. There would appear to be no foundation for the statement that the children 'associate with grown-up paupers,' or that any considerable proportion of them return to the workhouses. Mr. Gulson, the Poor Law Inspector of the West of England, says:—'I have not a Board of Guardians under my superintendence 'that would permit children to go to a washhouse or laundry in which women are em- 'ployed; but they have provided washing accommodation and a laundry for the children 'in their own yards, and apart from the other inmates.' To the same effect is the evidence of Mr. Coode.

12752. "'12980. *Chairman.*] Assuming that children require, in a workhouse, a greater amount 'of attention than they require when they are in smaller numbers, do you not think that con- 'gregating and massing them together with persons of a very dissolute character in a work- 'house, as is the case with regard to able-bodied women, must tend to a worse state of 'things than exists where there is no such congregation?—If it were to be assumed that the 'children are in promiscuous intercourse with them, that would be true; but I fail to find, 'in my own recollection, anything like the truth in that supposition. The way in which 'children associate with that class of women is only occasional; it is in carrying now and 'then a message from one part of the house to another; it is in making the beds when the 'women are not numerous enough, or strong-handed enough to do it; but, generally speak- 'ing, the children are separated from that class; and it is an assumption which is not jus- 'tified by facts, so far as I am acquainted with them, that there is such a constant and 'habitual intercourse as has been supposed, and which is believed to be so corrupting 'Their seeing or hearing a bad woman nobody can avoid, unless you put them into some- 'thing like a nunnery. In no situation in life in which poor children can be acquiring 'such a practical education as will fit them to take their position in that rank of life to 'which they are called, can they fail occasionally to meet with people who are corrupt in 'their lives, and foul in their language; but, although it may occasionally occur that a child 'sees such a woman, and although it may occasionally occur still less frequently that she 'hears her conversation, such is not the practice in any workhouse that I know of, nor is it 'the practice in any that is effectually under the operation of the consolidated order of the 'Poor Law Board.'

"'12981. Mr. *Lyall.*] It is only an occasional contact?—Yes; it is not habitual, and it 'is not as constant as the contact of the same children would be with the same class of 'people if they were at large in their own homes, or if they were in the more happy condi- 'tion of being the children of poor, but independent labourers.'

"59. Mr. Doyle:—'I feel quite satisfied from the interest felt by the guardians in the 'classification of the workhouses, from the strictness with which the rules of the Poor Law 'Board are enforced, and from the disposition of guardians to improve classification, that 'the classification in the workhouses is satisfactory generally.' * * * 'I think you will find that the classification in the workhouses has been quite as strict as

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'is necessary for the preservation of the children from what is called the contaminating 'influence of the workhouse.' Mr. Lambert is asked, 'Do you consider that the classifica- 4425.
'tion is good in the workhouses; is it sufficient? Generally speaking, I think it is suffi-
'cient; I am speaking of the broad classification of the workhouses; that is to say, the
'separating of children—the boys from the girls, and the adult males and females from
'each other.' Mr. Hawley:—'With regard to classification, is it true that those children 5131.
'mix with the adults? Perfectly untrue.' 'You can speak with confidence about that
'throughout your own district? I speak with the most perfect confidence about that. I 5668.
'have always found the classification thoroughly carried out myself, when I have visited
'the workhouses; and from information which I have obtained from the different officers
'and guardians themselves, I am satisfied that when I am not there, the classification is 5669.
'equally well carried out.'"

"60. From the facts communicated to us in evidence, Your Committee believe that children brought up in workhouses are readily taken into service or other industrial occupations, and that they retain their places as well, upon an average, as the children of other classes. That they do not return to workhouses is satisfactorily proved by the small proportion of them who are found at any one time amongst the inmates. Mr. Doyle states: 'The result of their education' [in workhouses] 'is, that the children turn out, upon the 'average, quite as well as the children who are educated at twice, and in some cases three 'times, the expense in district schools, and that, upon the evidence of persons who are 'familiar with the labouring population, generally speaking they do about as well.' 'Mr. 'Henley's Return shows that not more than about 10 per cent. of them' [the children] 4291.
'return to the workhouse when they have had the advantage of a workhouse education for
'about two years.' 'That shows, does it not, that such education as they get in the work- 4332.
'house is attended with advantage, and certainly not on the contrary? It is attended with
'the same advantage as in the district schools.' 'I understand you consider that there is 4333.
'nothing really contaminating in those workhouse schools? I do not; but I should prefer
'to appeal to facts, which are stronger than my opinion, that the children that have been
'in those workhouse schools for a continuous period of two years return to the workhouses
'in such small numbers as quite to justify the conclusion that there is nothing contami-
'nating in the influence of the workhouse.' 'Did I understand you rightly to say, that 4569.
'there was a difficulty in any district in finding places of service for children from work-
'houses? On the contrary, I have here letters from every workhouse in my district, which
'disprove that notion. I put these two questions to every workhouse in my district: Is
'there any difficulty in getting children into service? and, Do they keep their places?
'I have answers from every workhouse in my district, if the Committee wish to hear them;
'but the general result of them is, that there is no difficulty whatever, and that they
'generally keep their situations very satisfactorily.' 'Under this improved system of 4612.
'education, have you ever known pauper children rise in life? Scores of cases.' Mr.
Weale, speaking of the 61 unions in his district, says, 'I found out that of those 66' [preg- 4644.
nant women in workhouses] 'the number of those that were brought up for two years and
'above in the workhouse schools, was four only.' * * * 'Then I found 4644.
'430 single women having bastard children in the workhouses, and of those 22 were brought
'up in workhouse schools. Adding the two together, that is, pregnant women and
'women with bastard children, there were 496, of whom 26 only were brought up in
'workhouse schools.' 'From the Return moved for in the House of Commons, by Mr. 4665.
'Henley, I found that in the 10 years preceding the date of that Return, 1,387 boys
'had been sent out of the workhouse schools, and 1,170 girls. So I say there were 24
'boys who had returned for misconduct, that is, 24 out of 1,387, and 95 girls out of 1,170.'
Mr. Lambert being asked, 'Have you any information as to how they' [the children] 4668.
'turned out? I have a list of the names of all of them; and I requested the clerk of each
'union to obtain the best information he could, as to the way in which they turned out, by
'inquiry of the Guardians, by inquiry of the master of the workhouse, and by inquiry of
'the relieving officer; and in most instances, or at least in a very large number of instances,
'the clerks have stated the result of those inquiries; and the result is shown by the follow-
'ing analysis: those who have turned out well, 998; moderate, 21; bad, 14; unsatisfac-
'tory, 31; married, 19; soldiers, 5; dead, 10; not stated or known, 259—making up the
'1,387.' Mr. Hawley:—'Generally speaking, all those with whom I have conversed state, 5086.
'and the conversations with the Guardians all tend to show, that the children have gone on
'admirably well in their services, and that they have realised all the expectations which
'their employers formed of them.' 'I constantly hear of them, because I frequently make 5612.
'inquiries myself. I constantly hear of the success or otherwise of those children who are
'placed out to service through Boards of Guardians, and through the officers; and, generally
'speaking, the information that I obtain is of the most satisfactory character, that they retain
'their places and do credit to the union school in which they have been brought up.' Sir
J. Walsham states:—'I am prepared with statistics, drawn from my own district, to show 5627.
'that my district affords demonstration that the evidence given before Your Committee by
'Dr. Doyle, Mr. Weale, Mr. Hawley, and others is exactly borne out by the facts in my
'own district.'"

"61. The recommendation of the Royal Commission 'to compel by law the general 5852.
'establishment of district and separate schools,' was approved of by only one witness, Mr. Senior. The evidence received by Your Committee by no means established the conclusion that large district schools are more successful than well-managed workhouse schools. Indeed, the result of the Parliamentary Return moved for by Mr. Henley shows in some

respects less favourably for the district schools than for the workhouse schools. But whatever may be the advantage of these schools, all the witnesses examined by Your Committee concurred in stating that they were only adapted to populous places, and that the establishment of them was impracticable in thinly-peopled or agricultural districts. It appears, however, that they have been already voluntarily established for nearly the whole of the Metropolis, as well as in Manchester, Liverpool, Leeds, and some other places.

" 62. The proposal to compel Guardians to insist upon the education of the child as a condition of out-door relief to the parent, and to pay for this education out of the poor's-rates, was also considered by Your Committee. This proposal is, in fact, to make compulsory the provisions of the Act known as ' Denison's Act,' which gives power to Boards of Guardians to pay out of the poor's-rates for the education of the children of out-door paupers. The objection to the principle involved in this proposal was pointed out by Mr. Lumley. That objection is thus put by Mr. Coode: ' The simple object to be regarded in 12575. 12587. ' the giving of all relief I take to be the present necessities of the person applying for relief. ' Now, to put any condition whatever upon the administration of that necessary relief is, ' practically, to deny the relief if that condition is not complied with; but to put a remote ' object like education forward as your plea for not giving relief which is at present wanted, ' is to cut up, root and branch, the whole object and principle of the Poor Law, which is to ' relieve immediate and present destitution by direct and certain means of relief.'

" 63. All the witnesses who have had experience in the administration of Poor Laws concur in representing the proposal to make ' Denison's Act' compulsory, as being impracticable—relief to able bodied out of the workhouse being generally given on account of sickness, in which cases the proposed condition could not be enforced. It was also very strongly urged that the proposal was unnecessary—a view supported by the evidence of Mr. Fraser, Mr. Patrick Cumin, and Mr. Coode, three of the Assistant Commissioners appointed by the Royal Commission to inquire into the state of Education.

" 64. Mr. Fraser says:—

" ' For the education of the children of persons receiving out-door relief, I did not meet ' with a single instance of provision being made by the Guardians of the several unions. ' Yet I believe the children are as generally under instruction as the children of non-pauper ' parents.' Mr. Patrick Cumin reports: ' The very poorest class in the community are the ' out-door paupers. Every single case of out-door relief has been investigated by the ' relieving officer, who has satisfied himself that they are persons entitled to relief. Yet the ' desire for education is such, and the power of providing for education is so great, that even ' that class is prepared to select the best school, and to pay 1 *d.* or 2 *d.* a week for the 4500. 4501. ' education of their children.' ' Wherever,' says Mr. Coode, ' there is a National or British ' School, or any of those schools under the Committee of Council, such facilities are given ' for the education of children, their school fees are so dispensed with, and such arrears are ' allowed to run up, that parents who are willing to send their children to school are never ' obliged to keep them from school in consequence of their inability to pay the school-fees.

" 65. It was further stated to Your Committee, that wherever Guardians have interfered to pay the school fees, ' a less number of children, in proportion to the population, attend ' the day-schools than in those unions where the Guardians do not interfere at all.'

" 66. After carefully considering the whole of the evidence upon the subject of Pauper Education, Your Committee have agreed to the following Resolutions, viz.:—

That, making reasonable allowance for the low condition, physical, moral, and mental, of a large proportion of the children when they first enter workhouses, and for the necessarily frequent changes in their admission and discharge, the state of workhouse education is, upon the whole, satisfactory in its character and result.

The Committee think that it would be inexpedient, and in many cases impracticable, to enforce the general establishment of district or separate schools; but they are of opinion that the voluntary establishment by the Guardians of schools separate and distinct from the workhouse would be an improvement on the present system of workhouse education, and attended with beneficial results to the children, as being the most effectual way of separating them from the other classes of paupers, and affording them the means of out-door employment and recreation.

The proposal of the Education Commissioners to compel Guardians to insist upon the education of the child as a condition of out-door relief to the parent is, in the opinion of Your Committee, inconsistent with the principles upon which the relief of the poor is established.

" Classification in Workhouses.

" 67. Although Your Committee took no special evidence on the subject of classification in workhouses, except with reference to children, yet in the course of their inquiry they found that, in many instances, no arrangement existed for the separation of women of notoriously bad character from the other female inmates; the result being that in those cases the able-bodied women are all placed together, so that any girl after 16, who loses her place in service, or who, from some accidental or innocent cause, has no other refuge than the union, might

might, although previously uncorrupted by vice, be brought into contact with the worst characters.

"68. By Article 98 of the General Consolidated Order, it is provided that the paupers, so far as the workhouse admits thereof, shall be classed as follows:—

"Class 1. Men infirm through age or any other cause.

"Class 2. Able-bodied men, and youths above the age of 15 years.

"Class 3. Boys above the age of seven years, and under that of 15.

"Class 4. Women infirm through age or any other cause.

"Class 5. Able-bodied women, and girls above the age of 15 years.

"Class 6. Girls above the age of seven years, and under that of 15.

"Class 7. Children under seven years of age.

"69. And Article 99 contains an express direction that 'The Guardians shall, so far as 'circumstances will permit, further subdivide any of the classes enumerated in Article 98, 'with reference to the moral character, or behaviour, or the previous habits of the inmates, 'or to such other grounds as may seem expedient.' In the instructional letter which accompanied the order, the Poor Law Commissioners state that 'It is very desirable that 'females of dissolute and disorderly habits should be separated from those of a better 'character, inasmuch as it is the duty of the Guardians to take all reasonable care that the 'morals of the house be not corrupted by intercourse with inmates of this description.'

"70. It is impossible to conceal the fact, that the difficulty which now exists in securing that proper provision shall be made for such a separation as that contemplated, frequently arises from the indisposition on the part of Boards of Guardians to incur the necessary outlay for that purpose; and it appears that the power conferred upon the Central Authority by the 4 & 5 Will. 4, c. 76, s. 25, to order workhouses to be enlarged, or altered, without the consent of a majority of the Guardians, is crippled with such a restriction as to be practically inoperative.

"71. Your committee, however, are clearly of opinion that workhouses should admit of such arrangements that females, not driven there by the consequences of a vicious life, should not necessarily be brought into contact with those of a depraved character; and they recommend that, in order to meet those cases where the Guardians neglect, or refuse, to comply with the direction contained in Article 99 of the Consolidated Order already quoted, the power conferred upon the Central Board shall be so far extended as to be rendered effective.

"72. Another circumstance referred to by some of the witnesses, with respect to the question of classification, is that, for want of proper accommodation in the workhouse infirmaries, the children from the schools are very frequently associated with the adults and aged paupers of each sex. Mr. Hawley says, 'The sick children are often placed in 5740.
'the general hospital with the adults, and this is decidedly objectionable. This is a defect 'which I should be glad to see remedied by the provision of separate sick wards for the 'children.' In reply to the question, 'Do you think the workhouse management is capable 'of improvement?' Mr. Lambert states, 'In some individual cases certainly it is capable of 5155.
'improvement; there is one point, particularly, which I would mention with regard to the 'children; in many workhouses there are no separate sick wards for the children, and I 'believe that more mischief is done by removing the children into the ordinary sick wards 'than from any other cause in the workhouse. It is very desirable indeed that more sick 'wards should be provided in workhouses, especially sick wards for children, so that they 'should not be placed with the adults, which certainly is an objectionable arrangement. 'In many instances they are placed with sick adults; and I have heard schoolmasters say 'that it is impossible to estimate the amount of mischief that is done by bringing them 'into contact with that class.'

"73. Your committee consider that the defects to which they have adverted are worthy of serious attention; and, with the view of providing for a more complete classification of the inmates of workhouses, they have agreed to the following resolution, viz.:

"That it appears to Your Committee, that in many cases the union workhouses are insufficient for the purpose of the proper classification of the inmates; and Your Committee consider it desirable that greater power should be given to the Central Board than that which they now possess, to require Guardians to make adequate arrangements for such classification."

"Medical Relief.

"74. Medical relief formed the subject of special inquiry before a select Committee of the House of Commons in 1854.

"75. That Committee did not recommend that the system of medical relief as administered under the regulations of the Poor Law Board, framed in 1847 (which are still in force) should be changed; but it advised that the Poor Law Board should continue to give their attention to the medical districts, with the view to their reduction when found to be

inconveniently large, and to the appintment of additional medical officers in such cases. They also recommended that the salaries, which in some cases appeared to be inadequate, should be revised, and that the officers should hold their offices permanently.

"76. The evidence given before the Committee in 1862 shows the progress made in carrying into effect the recommendations of the Committee of 1854.

3787. "77. The number of medical officers (which indicates a corresponding reduction of the number of districts) increased from 3,151 in 1853 to 3,479 in 1861.

"78. In 1854, about half the entire number of medical officers only held their appointments permanently. At the present time the proportion of the permanently appointed
3792. officers to those who are subject to periodical election is 2,841 to 711.

"79. The amount expended for medical relief in 1854 was 230,777 *l.*, whilst in 1861, 238,233 *l.* were expended for the same purpose, thereby showing that the emoluments of the officers have been greatly increased between those two periods.

"80. Notwithstanding these changes, in themselves so favourable to the medical officers as a body, those officers, in so far as their views were represented by Mr. Griffin, a witness examined by the Committee, advocated changes in the system of medical relief of a most extensive character.

"81. The views of this witness were to a certain extent supported by the 'Executive 'Council of the British Medical Association,' and by some of the metropolitan medical officers.

"82. The changes, however, which were thus advocated would unquestionably increase the expenditure for the relief of the sick, diminish to a serious extent the control and responsibility of the Guardians, whilst the distribution of food, wine, and other articles of nutriment, at the unchecked discretion of the medical officer would necessarily tend to demoralize its recipients, the poor. At the same time Your Committee think that the suggestion made by some of the witnesses, that the Guardians should provide, at their own cost, cod-liver oil and other expensive medicines, is one of considerable importance. Dr. Rogers, one of the medical officers of the Strand Union, recommends that the Guardians should find all the medicines; but his reasons apply with greater force to the more expen-
13358. sive drugs. He says, 'If the Guardians find the medicines, nothing would interfere to 'prevent the poor having administered to them the best and most appropriate remedies; on 'the contrary, when the medical officer does so, the temptation is put in his way of using 'cheap drugs, especially where the salary is small, and the duties large; again, it would 'remove the suspicion, sometimes entertained, that the medical officer would abuse his 'power by ordering wines and other *stimuli* found by the Guardians in lieu of expensive 'drugs found by himself.' Mr. Griffin suggested that the following articles should be omitted from the medical contracts: leeches, cod liver oil, cotton wool, ingredients for
4089. poultices, quinine, and sarsaparilla. 'Cod liver oil is often necessary to use in cases of 'consumption for many months at a time; but its expense is a bar to its general use by the 'medical officer.' Dr. Robert Fowler, district medical officer of the East London Union, was of opinion that it would be to the interest of the poor and the ratepayers that Guardians generally should supply cod liver oil at the cost of the Union.

"83. Your Committee find that in some unions the Guardians, with the concurrence of the Poor Law Board, provide such medicines as cod liver oil and quinine.

"84. It appears that the number of medical officers has increased 46 per cent. during the last 21 years; that the cost of affording medical relief to the poor has been a constantly and a largely increasing charge for the last 20 years, and that by these means the facilities for obtaining such relief have increased, and are increasing, year by year.

"85. With such facts in evidence, the Committee have adopted the following resolution, viz.:

> "That there are no sufficient grounds for materially interfering with the present system of medical relief, which was made the subject of special and lengthened inquiries by Select Committees of this House in the years 1844 and 1854.
>
> "The recommendations of those Committees were for the most part carried out by the orders of the Poor Law Board, and the system of medical relief appears to be administered with general advantage. Your Committee, however, recommend that in future cod liver oil, quinine, and other expensive medicines, to be approved by the Poor Law Board, shall be provided at the expense of the Guardians, subject to the orders and regulations of the Poor Law Board.

"Audit of Union and Parish Accounts.

"86. Your Committee have given considerable attention to the present system of auditing the Union and parochial accounts. They received evidence from, and ascertained the views and opinions of chairmen and other members of Boards of Guardians, of union and parish officers, of the auditors themselves, as well as the "Inspector of Audits," with reference to the operation of the existing system, and with regard to its improvement.

"87. The

"87. The evidence shows that the alteration of the law affected by the 7 & 8 Vict. c. 101, and the arrangements made under that statute, by which "district auditors" were substituted for Auditors elected by each Board of Guardians and acting separately for each union, have led to greater uniformity of procedure, more vigilant and detailed examination of the accounts, and more careful expenditure of the funds raised for the relief of the poor.

"88. A change from a comparatively lax to a more stringent audit has given rise to some dissatisfaction on the part of the Guardians and the Union, and parochial officers in some of the districts, and various suggestions have been made to the Committee with the view to remove the grounds for such dissatisfaction.

"89. The Committee, however, are not prepared to recommend that the auditors, who are now elected by local authority, should be authorised to allow expenditure which has not been warranted either by the law or the general orders of the Poor Law Board.

"90. The provision made by the statute last referred to, under which any person aggrieved by a decision of an Auditor on an illegal or questionable item of account, can appeal to the Poor Law Board, has been attended with much public benefit. Moreover, the provisions of the statute 11 & 12 Vict. c. 91, under which the Board are authorised to decide such appeals upon 'equitable considerations,' enable them to extend adequate protection to the ratepayers, and afford substantial redress, almost without expense, to all persons who may have inadvertenly assented to irregular payments from the funds raised for the relief of the poor. The provisions of the law in this respect do not, in the opinion of your Committee, call for revision, but it appears to them that much time, trouble, and expense would be saved if the Poor Law Board were empowered to remit surcharges and disallowances, especially in cases of trifling amount, by a letter signed by the secretary on behalf of the Board, instead of by a printed order issued under their hands and seal, as at present.

"91. The Committee cannot advise that these appeals should be withdrawn from the Poor Law Board, by whom they have hitherto been decided, upon uniform principles and almost without cost to all parties concerned, and (as urged upon the Committee by some witnesses) be transferred either to the 'county courts' or to the justices in 'quarter' or 'petty sessions.' Such a change would give rise to decisions of a more or less conflicting and unsatisfactory character, based as they would be upon less general and uniform considerations. Moreover, such a change would not only be attended with greatly increased expense and trouble to those who appeal, as well as to those who would have to support the finding of the Auditor, but would practically remove the control of the relief of the poor from a Board now immediately responsible to Parliament, and give it either to a comparatively irresponsible local officer, or to those who are actively concerned in administering such relief and in making all the disbursements incidental to it.

"92. The true remedy for the dissatisfaction which has partially arisen, as well as the proper means for the improvement of the system will probably be found in an extension rather than in a modification of the principles of the more recent enactments. A more careful selection of the persons who are to discharge the duties of an Auditor, combined with complete and undivided attention to those duties, would ultimately reconcile all interests to the supervision which must necessarily be exercised over the receipt and expenditure of a fund which exceeds 8,500,000 *l.* annually.

"93. In order to effect such desirable results, it has been proposed that the appointment of Auditors should in future be made by the Poor Law Board, as recommended by the Select Committee of this House on the Poor Law Amendment Act, 1838, and by the Committee of Inquiry appointed by the Treasury in 1852, instead of by the Chairman and Vice-chairman of the Boards of Guardians in the Audit districts. The time of those officers, when so appointed, should be wholly devoted to the public service. Their numbers should be reduced so as to afford sufficient occupation for their whole time, and admit of their adequate remuneration. But in order that these changes may be the more readily effected, the Poor Law Board should be invested with full powers for the dissolution and reconstruction of audit districts; they should be enabled to transfer the services of an Auditor from one locality to another, and, as occasion arose, empower the Auditor for one district to act conjointly with, or independently of the Auditor of another district.

"94. It has been shown to the Committee that, although large defalcations on the part of union and parochial officers frequently occur, yet that those defalcations are inconsiderable when contrasted with the total annual amount raised and expended for the relief of the poor. These defalcations have for the most part arisen with assistant overseers and collectors, and a more vigilant audit and more frequent examination of the accounts of these and other Poor Law officers, may prove that the misapplication and embezzlement of the funds of the ratepayers, is more frequent than is at present supposed.

"95. The Committee, therefore, recommend that in addition to the powers conferred upon Auditors for the purpose of holding the periodical audits now required by law, they should be enabled to call for, examine, and inspect all rate books and books of account relating to the collection and expenditure of poor rates, without formal notice, and at any time when required by the Poor Law Board to do so.

"96. It has been stated to the Committee that entire rates have occasionally been made, either

either with or without the allowance of justices, and studiously kept from the cognizance of the Auditor, so that they might be more readily embezzled by parochial officers, or expended for purposes to which such funds cannot legally be applied. With the view to the defeat and the more prompt detection of such practices, the Committee recommend that overseers should be compelled, under a penalty, to obtain the justices' allowance to every poor rate; that no rates should be allowed, except at petty sessions; and that the clerks to the justices should make a half yearly, or more frequent return to the Poor Law Board, showing the date of each rate, its amount in the pound, and the total sum which the rate is calculated to produce when collected.

"97. Increased facility for evading the consequences of a disallowance by an Auditor, or for making payments which the law does not permit, is afforded by the interest accruing upon the balances in the hands of union treasurers, and of bankers of overseers of the poor.

"98. The Committee consider that the interest on such balances should be carried to the credit of the parish or the union, as the case may be, and accounted for to the Auditor in like manner as the rate itself is accounted for. If it were made compulsory on overseers to deposit the money collected from rate-payers with a banker selected or approved of by the vestry, then such overseers might be exempted from personal loss in case of failure of such bank, and the necessary expenses connected with the keeping of the account might be rendered a lawful charge upon the parish funds.

"99. There is another point which, in the opinion of Your Committee, is worthy of attention. Considerable dissatisfaction has been occasioned by the disallowance of certain charges in connexion with the business of the union, such as payment of travelling expenses of candidates for union offices, charges for newspapers, expenses of committees to visit asylums and schools, &c.; and, with the view of preventing the irritation which often arises from disallowances of this nature, Your Committee recommend that the Poor Law Board be empowered to define from time to time what incidental expenses the Guardians may legally incur in the discharge of their duties.

"100. Upon this important branch of the inquiry, your Committee have agreed to the following Resolution, viz.:—

> That the Committee, having regard to the recommendation contained in the Reports of the Select Committee of this House on the Poor Law Amendment Act in 1838, and of the Committee of Inquiry appointed by the Treasury in 1852, and also to the anomaly now existing of the appointment of the Auditors being vested in the Chairman and Vice-chairman of Boards of Guardians, consider that the power of appointing District Auditors should in future be vested in the central authority. The Committee are further of opinion that the time of those officers when appointed should be wholly devoted to the public service, and that with this view their number should be reduced as vacancies occur, and the vacant districts incorporated with others.

"That the Poor Law Board should be invested with power to define the incidental expenses incurred by Guardians, which should be charged on the rates.

"Equalization of the Poor Rate.

"101. Mr. Robert E. Warwick, the Secretary of the Society for the Equalization of the Poor Rates, furnished to the Committee a paper on this subject, in which he shows the inequalities which prevail throughout the country in the poor rate,—the rate in the pound on the annual value of rateable property ranging from 1*s.* 4*d.* to 14*s.* in the pound. Illustration of these inequalities are chiefly drawn from metropolitan parishes. Mr. Warwick maintains that the 'operation of the existing Poor Laws is to relieve the ratepayers of the rich 'parishes, and to cast the burden of supporting the poor on those parishes, the ratepayers of 'which are for the most part but a shade removed from pauperism themselves.'

"102. He denies that the equalization of the rates is a landlord's question, and that high rates produced low rents, and maintains that the poor man living in the high-rated parish pays a far greater rent in proportion for the accommodation he receives, than the healthy inhabitant of the high-rated parish; that high rates produce high rent.

"103. Mr. Warwick refers to several schemes for effecting an equalization of the rates. The first is a plan submitted by Lord Malmesbury to a Committee of the House of Lords, in 1850, (*see* Lords' Report on Parochial Assessments, Sess. 1850,) for converting the poor rate into a species of property tax.

"104. The next plan is a national rate, levied on the real property of the country.

"105. To both of these plans Mr. Warwick objected, because they would involve the necessity of placing the relief of the poor in the hands of the Government, depriving ratepayers and guardians of self-government and local control. Another plan, and one which he considers deserves very serious consideration, is that of union rating.

"106. The objection to the plan is, that it would supply no relief to the large metropolitan single parishes. But to remove that objection, he proposes to relieve such parishes by 'a 'grant

'grant voted by Parliament in the same way as the salaries of schoolmaster, auditors, and 'several other expenses are provided for; or, a rate in aid could be levied upon those 'parishes which are below the average.' But this, he thinks, would be attended with some difficulty.

"107. Another plan, and one stated to be very popular in London, is 'that the metropolitan 'districts should form one county, for the purpose of raising funds for the relief of the poor, 'and that then union rating should take place for the rest of the country.'

"108. The last plan he notices is that of county rating, which he is convinced is the best. He points out the advantages that would, in his opinion, attend this plan, and supplies some details for carrying it out. He states, however, that while he thinks this plan the best, he will not say that 'some others may not be adopted quite as good, or perhaps 'better.'

"109. This proposal for establishing county rating, treating the metropolis as a separate county, was supported by the evidence of Mr. William Gilbert, the chairman of the Society for the Equalization of the Poor Rates; the Rev. George H. McGill, incumbent of St. George in the East; Mr. Edward Collinson, chairman of the Board of Guardians of St. George the Martyr, Southwark, and Mr. John Day, assistant overseer and vestry clerk of the same parish. Mr. Day says, 'the provisions of the original Poor Act (43d of 'Elizabeth), contemplated that the richer parishes should assist the poorer.' . . . 'I 'am glad to find that the Legislature have recognised the principle that the common 'charges in unions should be borne by the parishes according to their rateable value; 'unfortunately, however, the Act does not apply to parishes not in union.' 7617. 7619.

"110. Mr. Deputy Pilcher, chairman of the East London Union, another witness, says' 'I think it would be advisable to take a limited area at first, and extend it gradually; but 'I think if it could be effected at once to have a metropolitan rating, to include the whole of 'the metropolis, it would be exceedingly desirable, inasmuch as we should by so doing get 'rid of a great many expenses, such as expenses attending questions of settlement, removal 'of poor, establishment charges,' &c. 8589.

"111. Mr. John Bowring, clerk to the guardians of the City of London Union, says, 'I 'am quite prepared to equalise the rates to the extent of union area, because the adminis- 'tration of the rate and the representatives of the ratepayers would be coincident.' . . . 'If the poor rates of the City Union, for instance, were equalised, no doubt there would be 'the same substantial relief given to the poor, but the distribution of the rates would be 'thrown upon the property of the district, whose representatives form the administrators of 'the relief.' . . . 'I would make the City Union one parish instead of 98.' . . . . 8375. 'I think that when the guardians and ratepayers fully understood the subject, and saw the 8376. 'bearing of it, they would see that there is in reality no reason why there should be 98 areas 'for poor rates within an area of 434 acres, any more than that there should be in St. Mary- 'lebone, which is, perhaps, four times the size, and has but one rate.' 8380.

"112. Mr. John Adamson, clerk to the guardians of the Salford Union, is of opinion that the whole union should be one for the purposes of rating, of charges, and of election of guardians, and should not be divided into distinct parishes. 597, 598.

"113. Mr. William Wilde, chairman of the Court of Governors and Guardians of Norwich, who complained of the burden thrown upon Norwich, which is surrounded by an agricultural district by the operation of the Irremovable Poor Act, said, 'One remedy which 9100. 'we wish to suggest would be, although I am afraid it would scarcely be listened to from 'me if I take upon a large scale, but one remedy would be to have a national rate; but the 'next to that would be a county rating; and next to county rating would be taking in the 'parishes immediately around Norwich, who are benefited by Norwich to a very large 'extent.' He would 'include the four unions that are immediately abutting upon Norwich, 9127. 'the Blofield Union, the Henstead Union, the St. Faith's Union, and the Foreclose Union. 9130.

"114. Mr. John Godwin Johnson, late Governor of the Court of Guardians of Norwich, and a guardian for nearly 40 years, stated, 'I think that each place should relieve its able- 'bodied poor, and that the permanent poor of the country should be upon a uniform rate all 'over the country. There might be objections to putting them upon the Consolidated 'Fund though it would come to the same thing in the end; but I think that the permanent 'poor should be supported by a uniform rate; that there should be no temptation to remove 'them from one place to another, but that their wants or necessities should be provided for 'where people, from their own knowledge, felt that they would be best provided for.' 'I see 9236. 'no reason why we should not adopt the principle in its broad extent, that all property should 'contribute to the maintenance of the poor, as well as house property and landed property. 'I think that all accumulated personal property should contribute to the maintenance of 'the poor.' 9243.

"115. It will be observed that considerable difference of opinion exists among the witnesses who have been examined on this subject. They all point to an extension of the area of rating, viz.: either to the whole country, the county, the metropolis being treated as a county, a district of unions, or the union. The chief objection to those proposals is that the motive for economy, so important as regards the interests of the poor as well as of the ratepeyer, would be diminished in proportion to the extension of the area of contribution.

 "116. 'If

5581-2. "116. 'If the nation were to pay and the Guardians to spend, I see no limit,' observes Mr. Lambert, Poor Law Inspector, 'to the expense.'

"117. To the extension of the area of rating from the parish to the union even, some objections deserving attention were urged by Mr. Lambert, who stated, however, that he
5565. should like to see what the operation of the 24 & 25 Vict. c. 55, would be before giving an
See Appendix. opinion upon union rating generally; and he has since delivered in a memorandum, in which, after assigning various reasons which have induced him to modify very considerably the views which he had expressed previously to that Act coming into force, he goes on to say, that having regard to the growing opinion amongst Boards of Guardians in favour of union rating, and also to the serious inconveniences arising from the administration of relief from two separate sources, without, as it now appears to him, any corresponding advantages, he is disposed to concur with those who are of opinion that the costs of maintaining all classes of the poor may be thrown upon the Common Fund, without serious risk to the due and economical administration of relief.

"118. It is obvious that the objection to extending the area of rating on the ground that it would lead to extravagance, must apply less to union rating than to any of the other schemes proposed, all of which contemplate a much larger area for contribution; and it must be borne in mind, that in passing the Poor Law Amendment Act the Legislature has decided that the union shall be the territorial division by which the administration of relief is to be administered. It is true that the parish was retained as the division according to which the charge was to be distributed, but that principle has been largely encroached upon by the various subsequent statutes, which have thrown the cost of maintaining the irremovable poor upon the Common Fund of the union, and especially by the Act of the 24 & 25 Vict. c. 55, already referred to, which not only shortened the period of acquiring a *status* of irremovability from five to three years, and extended the area within which it might be acquired from a single parish to the whole union; but provided that the Common Fund, out of which that class of poor are maintained, should be distributed over the several parishes of the union according to the annual rateable value of the property therein.

"119. Moreover, to make the union, instead of the parish, the element for the charge of relief, as well as for regulating its administration, would only be following out a step further the principle of the Poor Law Amendment Act itself, which empowers the Guardians, with the consent of the Poor Law Commissioners (*see* Sects. 33 & 34), to agree that the whole union shall be considered as one parish for the purpose of settlement and of rating. These sections, however, have been found practically inoperative, except in one or two cases, as they require the consent of all the elected guardians before any such arrangement can be
5333. made. This point was adverted to by Mr. Bowring, who suggested 'the propriety of giving 'the power to some majority of the Guardians, either a bare majority, or three-fourths or
5338. 'three-fifths, or some given proportion. * * * If the union consists of 100 'Guardians (the City of London Union has 101), it is perfectly clear that you never can 'get 100 consents, but if it were four-fifths, or three-fourths, or any particular proportion, 'then the Guardians might carry that which would be beneficial.'

"120. Although much of the inequality which has been shown to exist as between parish and parish within the same union will now be obviated by the operation of the Irremovable Poor Act of 1861, and that inequality will be further lessened by the adjustment of the parochial rates under the provisions of the Union Assessment Act of 1862, Your Committee are unable to regard that result as furnishing any reason against equalizing the charge of maintaining all classes of the poor over the several parishes of the whole union. On the contrary, it appears to them to have removed one of the greatest obstacles to the adoption of such a measure. It is proper, however, that Your Committee should point out that the advantages which have been conferred upon the country generally by the two Acts just referred to have not been participated in by many largely and densely populated single parishes in the metropolis not in union, which, so far from being benefited by the Irremovable Poor Act of 1861, are now oppressed by additional poor, who but for that Act would have been removable; and they have to add, that whatever importance may be attached to the impression entertained by some that in the rural districts the settled poor are better cared for than the others, this argument is certainly not applicable to the metropolis, inasmuch as persons are there employed without any consideration to their becoming chargeable, and in the case of labouring men their place of abode is very frequently in some other parish than that in which they are employed; and with respect to the alleged injustice to a person who has acquired property in a low-rated parish being called upon to contribute to a neighbouring one more heavily burthened, it has been urged that there is an equal injustice committed, especially in the poorer parishes of the metropolis, where persons who have taken property find, from circumstances beyond their control, their rates and expenses rapidly increasing; the circumstances referred to being the destruction of whole districts by street improvements, railways, and other large works, whereby the working poor are deprived of their dwellings, and necessarily driven to find them in places already impoverished.

"121. Your Committee are fully sensible of the difficulties which exist in dealing with this part of the inquiry, but looking to the great importance of the subject, and being convinced that the necessity of a further alteration of the law will daily become more pressing, they have agreed to the following Resolutions, viz.:—

"That much evidence was adduced showing the unequal pressure of the charge for the relief of the poor in different parts of the metropolitan district; and various plans were

were submitted to your Committee for the equalisation of the poor rate; and your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the metropolis are so peculiar, that in any legislation to extend the area of charge or management, it would be necessary to have regard to those circumstances.

"That any measure for the extending of the area of rating should, in the opinion of the Committee, embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union.

"Houseless Poor (Metropolis).

"122. There is, probably, no branch of Poor Law administration which, for some years past, has been attended with so much difficulty as that of providing in a satisfactory manner for the relief of the casual poor of the metropolis; and the subject has been brought under the notice of your Committee in connection with the question of metropolitan distress, and the extension of the area of rating.

"123. It is impossible, from the condition of so vast a city as London, with its millions of inhabitants, of every rank and condition, that it should not have within itself a large floating population, wandering about in search of employment or a home, or that it should not attract from the rest of the county a considerable number of adventurers of all sorts.

"124. A witness examined before the Committee, Mr. W. Gilbert, one of the honorary secretaries of the Societies for the Relief of Distress in the Metropolis, estimates the average number of London tramps at 12,000; and although his *data* are anything but conclusive, there can be no doubt that the number of persons who depend upon the chance earnings or alms of each day to provide them with a lodging at night must be very great. 4326.

"125. In dealing with such a class, three important considerations have to be attended to, viz.:—

"(1). That every destitute applicant shall be sufficiently relieved;
"(2). That the relief shall be upon a uniform system; and
"(3). That in administering that relief no encouragement shall be given to vagrancy.

"126. The first condition fulfils the duties of humanity; the second prevents particular parishes from being burthened with an undue number of cases; and the third protects the public from the evils of indiscriminate and injudicious relief.

"127. With the view of satisfying these conditions, the Legislature made provision by the 7 & 8 Vict. c. 101, for the establishment of district asylums for the temporary relief and setting to work of the houseless poor of the metropolis and some other large towns. According to the evidence of Mr. Lumley, that Act 'was put into operation to this extent, 12600.
'that the Poor Law Commissioners formed districts, and gave directions for carrying the
'Act into execution, but the authorities rejected it, and a Parliamentary Committee sat upon
'the subject and heard evidence during a whole Session. They separated, however, without
'reporting either favourably or adversely to the scheme, and therefore it dropped.'

"128. It appears that in 1858 the Poor Law Board addressed a circular to the various Boards of Guardians in the Metropolis, pointing out at length the serious defects which continued to exist in the administration of relief to vagrants and houseless poor, and accompanied with a scheme for dividing the whole Metropolis into six asylum districts. This proposal was, however, objected to by a large majority of the Board of Guardians; and as the Poor Law Board were not vested with the requisite powers for enforcing the establishment of the asylums contemplated by the Act, no further step was taken by them to effect the object proposed by their circular.

"129. With reference to the want of accommodation for the houseless poor in several of the parishes of the Metropolis, a good deal of information was given to your Committee by Mr. W. Gilbert, from whose evidence the following are extracts:—Speaking of the inadequacy of the provision at Paddington, he says, 'My attention was especially drawn 4202.
'to it about one o'clock in the morning, a few days before Christmas-day, in finding a poor
'creature at the furthest extremity of Kensington Gardens making his way towards
'Kensington. He was a man completely broken down; he could hardly drag himself
'along.—*Chairman.* Some old man?—*Witness.* Yes. I asked him where he was going, 4203.
'and he said that he was going to Kensington workhouse to see if he could get shelter for
'the night. I asked him why he did not stop at Paddington, and he said that a policeman
'had told him that there was no casual ward in Paddington workhouse, and therefore he
'was going to Kensington to seek relief. I inquired whether there was a casual ward in 4205.
'Paddington, and was told there was not. . . . . In passing by the workhouse of 4012.
'St. George's, Hanover-square, on Christmas-day, after that intensely cold night, I found
'two placards outside the workhouse, stating that their casual wards were closed; and
'although I knew that that had been the case for some years past, yet I thought that in
'such a winter as last winter some further accommodation might have been made for their
'relief. . . . . I determined to trace the question to its source, and I went to Kensing- 4213.
'ton workhouse, which is in my own parish, having seen tramps, or people worn out,
'walking down on summer evenings to get to that workhouse. I asked the master of that

'workhouse whether he had had many during the winter; he said, 'No;' that all whom 'they received were those driven from Paddington and St. George's, Hanover-square, but 'that in winter those men applied to private charity for relief; and that, therefore, in 'Kensington in the winter they received very few, but that in the summer time they had a 'great many; that they received in the summer time all those of St. George's, Hanover-
4256. 'square, and Paddington. . . . . In the City of London Union, comprising 98 parishes, 'there is no casual ward. The casual ward is at Bow, three miles off.'

4257. "130. Your Committee, having pointed out the defects in the existing state of the law and its administration, will now advert to the remedial measures which, in their opinion, should be adopted. In the first place, it is obvious that, under the present system, the Guardians who may be desirous of providing proper casual wards are discouraged from doing so, because they feel that they would thereby attract the casual poor of all the adjoining parishes in which there is no such accommodation. This objection, accompanied with a strong disinclination to increase parochial expenditure, has no doubt caused and perpetuated the evils which have been referred to; and one of the objects of the Act of the 7 & 8 Vict. c. 101, was to remove these obstacles by providing that the cost of erecting the proposed district asylums, and of relieving the poor received into them, should be borne by a rate levied upon the whole of each district, according to the assessable value of the property in the several parishes of which the district was composed. In this instance, therefore, the Legislature has sanctioned an extension of the area of rating for the relief of the casual poor; and it is worthy of remark that the principle of exempting individual parishes from the cost of relieving destitute wanderers and wayfarers has been necessarily recognised by the 11 & 12 Vict. c. 110, which has cast such relief upon the common fund of the union. Your Committee have no doubt that the Guardians would be quite willing to make effectual arrangement for the relief of the casual poor, provided the burthen was equally distributed, and it is evident that, in that case, the expense would be so insignificant as not to be felt. It will be seen by the Return of 1856, that the rateable value of the property in the metropolitan district at that date was 10,720,000 *l.*, and as the average number of vagrants daily relieved appears to be 613, the cost of relief at 6 *d.* per head would amount to 5,517 *l.*, or half-a-farthing only in the pound. Having regard, therefore, to these considerations, Your Committee think that the cost of relieving the casual poor of the Metropolis should be made a common charge on the whole district.

"131. Before proceeding to suggest a plan for collecting a rate for this purpose, the Committee wish to advert to two obvious objections which existed to the plan of district asylums under separate management from the other poor of the Metropolis. In the first place, an enlarged area necessarily increases the difficulty of rendering prompt succour to urgent cases, especially at night; and, secondly, the actual expenditure for the relief of this class of the poor is scarcely sufficient to justify the establishment of several district Boards of Management. In order to meet these objections, Your Committee propose that the administration of relief to the houseless poor should still rest with the Guardians, and that sufficient and proper wards or buildings should be provided for their reception in every union or parish under a separate Board; but, at the same time, it is essential to this scheme, that the Central Authority should be authorised to require the Guardians to provide, in every instance, such accommodation, and to direct that the relief of this class shall be managed upon a uniform system throughout the entire district.

"132. With respect to raising the requisite funds by an equal contribution from the whole area, Your Committee find that the district of the Metropolitan Board of Works is conterminous with the area, which, in their opinion, should contribute to the fund in question; and inasmuch as the Metropolitan Board are already furnished by the Metropolis Local Management Act with a very complete machinery for levying an equal rate or contribution from their whole district, Your Committee think that an arrangement, to be sanctioned by the Legislature, might easily be made, empowering that Board to provide in their contribution orders for the funds which would be required for the relief of the houseless poor. Your Committee do not deem it necessary to suggest all the details by which this plan may be carried into effect; but it appears to them that the auditor might without difficulty ascertain at each half-yearly audit the amount expended by each union or parish, and upon his certificate being sanctioned by the Poor Law Board, the Guardians should be entitled to receive from the Metropolitan Board the sum so expended."

Draft Report read 2°, paragraph by paragraph; several Amendments made.

[Adjourned till Friday next, at Twelve o'clock.

Veneris, 13° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Afterwards Sir WILLIAM JOLLIFFE in the Chair.

Mr. Bazley.	Mr. Lyall.
Mr. Ayrton.	Mr. Alderman Sidney.
Mr. Buller.	Mr. Walpole.
Sir George Bowyer.	Sir John Acton.
Mr. John Tollemache.	Lord Edward Howard.
Mr. Locke.	

Draft Report further considered.

Paragraph 19.—Amendment proposed, line 26, after the words "views of those," to insert the words "in the locality with which he is most cognisant, and "—(Mr. *Buller.*)—Question put, That those words be there inserted,—The Committee divided:

Ayes, 3.	Noes, 7.
Mr. Bazley.	Lord Edward Howard.
Mr. Alderman Sidney.	Mr. Locke.
Mr. Buller.	Mr. Lyall.
	Mr. J. Tollemache.
	Mr. Walpole.
	Sir John Acton.
	Sir George Bowyer.

Amendments made.—Paragraph, as amended, *agreed to.*

Several other paragraphs agreed to, with Amendments.

[Adjourned to Friday next, at One o'clock.

Veneris, 20° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. Lyall.	Mr. John Tollemache.
Mr. Walpole.	Mr. Locke.
Sir William Jolliffe.	Mr. Ayrton.

Draft Report further considered, and several Amendments made.

[Adjourned to Friday next, at half-past Twelve o'clock.

Veneris, 27° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Sir William Jolliffe.	Mr. Neate.
Mr. Lyall.	Sir John Acton.
Colonel Pennant.	Mr. Walpole.
Mr. John Tollemache.	Mr. Locke.
Mr. Bazley.	

Draft Report further considered, and several Amendments made.

[Adjourned to Monday next, at half-past Twelve o'clock.

Lunæ, 30° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Sir William Jolliffe.	Mr. Ayrton.
Mr. John Tollemache.	Lord Robert Cecil.
Mr. Lyall.	Mr. Alderman Sidney.
Colonel Pennant.	Mr. Lowe.
Sir John Acton.	

Draft Report further considered, amended, and agreed to.

Question, That the Resolutions agreed to by the Committee be reported to the House,—put, and agreed to.

Question, That this Report, as agreed to, be the Report of the Committee to the House,—put, and agreed to.

Ordered to Report, together with an Appendix.

APPENDIX.

LIST OF APPENDIX.

Appendix, No. 1.

PAGE

Correspondence relative to the Operation of the First Section of the Poor Removal Act of 1861 - - - - - - - - - - - - - - - 93

Appendix, No. 2.

Observations of the Poor Law Inspectors on the Chief Propositions embraced by the Petitions presented to Parliament during the Session of 1860, on the subject of the Poor Law Board - - - - - - - - - - - 106

Appendix, No. 3.

Poor Law Audits:

Letter from Mr. T. K. Roberts and Mr. R. A. White, District Auditors, to the Right Honourable C. P. Villiers, M.P., President of the Poor Law Board - - - - - - - - - - - - - - - 124

Suggestions proposed for the Amendment of the Law relating to Poor Law Auditors, and referred to in the foregoing Letter - - - - - - 125

Memorandum of Mr. R. B. Cane, Poor Law Inspector, on the foregoing Letter - - - - - - - - - - - - - - - 125

Suggestions of Mr. T. K. Roberts, District Auditor, with reference to the proposal for extending the Audit Districts, and for securing a more thorough supervision of the Audit of Poor Law Accounts, with a graduated scale of remuneration to District Auditors and their Clerks - - - - - - 126

Suggestions by Mr. Robert Azlack White, District Auditor, for the Amendment of the Law relating to the Audit of Poor Law Accounts - - - 126

Suggestions by Mr. William Roberts, District Auditor, for Amendments of, or Alterations in, the Poor Laws - - - - - - - - - - 127

Lincolnshire and Rutlandshire Audit District:—Number and Names of Unions in the District; Number of Parishes; Number of Disallowances and Surcharges made by the District Auditor, during the Years 1861 to 1863 inclusive; with the Number and Amount of such Disallowances and Surcharges not appealed against but acquiesced in, and paid over to the Treasurers of the Guardians, or otherwise duly accounted for; and the Number and Amount appealed against; and the Decision of the Poor Law Board on these Appeals, in so far as they are determined - - - - - - - - - - - - - - - 128

Appendix, No. 4.

Union Chargeability.—Memorandum by Mr. Lambert, on the Operation of the 24 & 25 Vict. c. 55 - - - - - - - - - - - - - - 129

Appendix, No. 5.

Superannuation of Union Officers.—Correspondence relative to Superannuation of Union Officers - - - - - - - - - - - - - - - 130

Appendix, No. 6.

Classification of Women in Workhouses.—Report of Robert Weale, Esq., Poor Law Inspector, to the Right Hon. T. S. Estcourt, M.P. - - - - - - 136

Appendix, No. 7.

Petition of the Vestry of the Parish of St. George-the-Martyr, Southwark - - 138

Appendix, No. 8.

Destitute Houseless Poor in the Metropolis.—Minute of the Poor Law Board (referred to in page 40 of the Report) - - - - - - - - - 140

Appendix, No. 9.

The Statistics of Disease among the Pauper Population of England and Wales - 142

APPENDIX.

Appendix, No. 1.

App. No. 1.

LETTER from Mr. *Hugh Owen* to Mr. *Weale*, Poor Law Inspector.*

My dear Sir, 15 February 1864.

THE President desires me to say that he will be much obliged to you to furnish him with any facts or opinions which you may be able to collect in your District, tending to exhibit the operation of the 1st section of the Poor Removal Act of 1861 (24 and 25 Vict. c. 55):—

1st. In diminishing the number of removals under Orders of Justices.

2nd. In increasing the number of persons chargeable to the Common Fund.

The President would be glad also to know whether, in your opinion, any difference exists, as to the extent or character of the relief granted to the common fund paupers, from that granted to the parochial paupers: in other words, whether relief is more strictly or less strictly administered in the case of the former class than in that of the latter.

Yours faithfully,
Hugh Owen.

Robert Weale, Esq.,
Poor Law Inspector.

* A similar letter was addressed to each of the other Poor Law Inspectors.

LETTER from Mr. *Gulson*, Poor Law Inspector, to Mr. *Hugh Owen*.

My dear Sir, Teignmouth, 20 February 1864.

IN reply to your letter of the 15th instant, requesting me to give the President my opinion upon the operation of the 1st section of the 24th & 25th Vict. c. 55, I beg to state that the number of removals under orders of justices has been considerably diminished, and the number of persons chargeable to the common fund has been increased largely by the operation of the Statute in my district—though without any increase in the number of paupers as a whole.

Everything I see when attending the meetings of Guardians, and all the information I can obtain on the subject, goes to prove that the interests of the poor have been greatly promoted by the operation of the Poor Removal Act of 1861; and the ratepayers generally are well satisfied with the change effected by the Statute referred to.

In my opinion, no difference exists in the unions under my supervision as to the extent or character of the relief granted to the common fund paupers, from that granted to parochial paupers; though, I think, relief, in some unions, is somewhat less strictly administered in the case of common fund paupers than the parochial; but I am fully satisfied that whatever difference there may now be in this respect, it arises solely from the Guardians having, under the law as it now stands, conflicting interests to attend to; and that if all paupers were placed upon the common fund quite as great care and quite as rigid an administration of relief would prevail in all cases, as now prevails in regard to parochial paupers.

At the present time, an elected Guardian attends specially to the interests of the parish he represents, and if he can succeed in removing the chargeability of a pauper from his parish to the common fund, he considers he has done the duty he was elected to perform in protecting specially the interests of his own parish; but if all paupers were alike chargeable to the common fund, I am fully satisfied that the general interests of the whole union would be as closely watched, and as strict an economy practised as that which now prevails in single parishes.

App. No. 1.

It is the conflicting interest, created by the law as it at present exists, which operates to the prejudice of the common fund; and the sooner union chargeability is established for all paupers, the better it will be for the public interests: and I may add that I believe this to be the general opinion in every union in my district, on the part of those who have taken part in Poor Law administration.

I am, &c.

Hugh Owen, Esq. *E. Gulson.*

Letter from Mr. *Weale,* Poor Law Inspector, to Mr. *Hugh Owen.*

My dear Sir, 26 February 1864.

In reply to the above inquiries, I have to remark that I have no special facts to comment on with reference to the 1st section of the Act referred to. So far as I can glean from the remarks I hear at different Boards of Guardians, it is generally thought on the whole to work favourably to the working classes.

In answer to your first question, I can certainly say that it has considerably diminished the number of removals; and in answer to the second, that it has very much added to the number of persons chargeable to the common fund.

Since the passing of the Act referred to, which so completely changes the source from which the common fund is raised, I have found much greater attention paid to the cases of paupers chargeable to the common fund; and, as a rule, I think relief is not less cautiously administered to such cases, than to those that are strictly parochial cases.

I have to apologise for not earlier replying to your note, but my engagements have been so numerous that I really have not had time to do so.

I am, &c.

H. Owen, Esq. *Robert Weale.*

Letter from Mr. *Doyle,* Poor Law Inspector, to Mr. *Hugh Owen.*

My dear Sir, Chester, 27 February 1864.

With a view to giving a reply to the two questions contained in your letter of the 15th instant, I have made inquiries from the officers of several unions in my district. I find, however, that it is not possible to obtain any precise detailed information upon the subject of these questions.

I may say generally, however, that to whatever extent the Act of 1861 has increased the number of persons chargeable to the common fund, to about that extent it will have diminished the number of removals under orders of justices. To what extent, however, that has been its effect it would be impossible to tell without a nominal examination, case by case, of the lists of irremovable poor.

In the cases of the common fund paupers, the causes of irremovability are not distinguished. Nor, if they were, would it be possible to say what proportion of those who are irremovable under the Act of 1861 would still have been irremovable under the Act of the 9th & 10th Vict. c. 66. Of those who have acquired a residential irremovability under the Act of 1861, it is obvious that a large proportion would have been irremovable under the Act of the 9th & 10th Vict. c. 66.

It occurs to me, however, that the information which the President wants may be obtained, approximately at least, by a return which, I apprehend, can be prepared in the office. Take, say for the last ten years, the numbers chargeable each year to parishes and to the common fund. The numbers, as well as the proportion of the latter, will of course be greater in each succeeding year. The excess in the proportions of 1862 and 1863 over the proportions of the preceding years will, I think, give as nearly as may be the result of the Act of 1861 in increasing the numbers chargeable to the common fund, and therefore the result also in preventing orders of removal.

Every change in legislation which has tended to enlarge the area of chargeability and restrict the power of removal has had to encounter two rather contradictory objections. It was said that such a change would materially affect "the extent and character of the relief" granted to the common fund paupers; that, on the one hand, with the cessation of parochial chargeability would cease also the kindly interest which Guardians were assumed to take in the condition of the poor of their own parishes, who would in consequence, be harshly and inconsiderately dealt with; while, upon the other hand, it was urged, with greater show of reason, that, the parochial interest in economy being weakened, the change would be followed by a lavish expenditure. In the report which Mr. Coode addressed to the Poor Law Board some years ago these arguments were very fully stated, and, as I think, conclusively answered. My observation of the administration of relief by Boards of Guardians in this district, and the result of inquiries which I have made, go to confirm the views which were urged with so much force by Mr. Coode. As a general rule, there is very little difference made by Guardians in dealing with the cases of parochial and union paupers. I have never observed the slightest disposition to drive the union paupers, by a more rigid administration, into other unions. It is quite true, however, that many guardians who take considerable interest in hearing the cases of their own parishes, are satisfied to leave the union cases to be disposed of by the small minority that in many Boards are known as "the working guardians." I cannot say that I think this is, practically, a great disadvantage. Be that, however, as it may, the indifference from which

which it arises gets less and less as the administration of the Union Fund becomes year by year of greater importance. I feel very confident that when the recent change which has substituted rateable value of property for averages is followed, as it can hardly fail to be in a little time, by union chargeability, and the abolition of the power of removal, a more general interest will be taken than at present, and by a more intelligent class of Guardians, in the administration of relief.

Yours, &c.
Andrew Doyle,
Poor Law Inspector.

Hugh Owen, Esq.

LETTER from Mr. *Hurst*, Poor Law Inspector, to the Right Hon. *C. P. Villiers*, M.P.

Sir, Richmond, Yorkshire, 9 March 1864.

I AM in receipt of Mr. Owen's note, requesting any facts or opinions, which I might be able to collect, to exhibit the operation of the first section of the 24 & 25 Vict. c. 55, and asking whether, in my opinion, Boards of Guardians administer relief more or less strictly to common fund paupers than to parochial paupers.

I have since been in communication with all the union clerks in my district, and others whom I thought likely to form a correct opinion. A large majority speak favourably of the working of the Act; that it has diminished removals, and the attendant expensive litigation, while the reduction of the period and the extension of the area of residence have been a boon to the poor.

I collect from my correspondents the effect of the Act has been as follows:

1st. It has reduced the rates in populous and highly-rated parishes, and occasioned a slight increase in the country districts.

2d. It has tended materially to equalise the parochial rates, and, as the relief of irremovable poor is now charged to each parish according to the value of property, it has been the means of inducing, on the part of country Guardians, a greater interest than hitherto in the expenditure of the common fund.

3d. It has been favourable to the industrious poor, who are less liable to be forcibly removed to a distant place, where they are unknown, and where no suitable employment can be obtained.

4th. It has greatly increased the common fund paupers,* and the cost of their relief, which may readily be seen on comparing the expenditure† for this class and their numbers for the years ended Lady-day 1862 and 1863.

5th. It has diminished removals,‡ which cost the townships much more than any benefit they could derive from so expensive a measure, alleged by Mr. E. Warwick, Vice Chairman of the City of London Union, before the Select Committee, 1861, to be not less than 50,000 *l.* a year.

* *See* annexed Statement (A).
† *See* annexed Statement (B).
‡ *See* annexed Statement (C).

An accurate return of parochial removals is attended with difficulty, no record that I am aware of being kept of them. A statement prepared from the yearly abstracts (Form 18) of the expenditure of the various unions (Columns 4, 6, and 7) would possibly give a fair amount of evidence as to the effect of the recent Act in diminishing or increasing their number.

I find opinions are entertained that all paupers ought to be charged to the common fund, on the ground that much trouble and expense would be saved:

That it would facilitate the administration of relief if there were a union settlement, and the whole of the relief thrown on the common fund, as at present a considerable portion of the time of the Guardians is occupied in contest whether to charge the paupers to the parishes or the common fund:

That union rating and charge are desirable, provided the rating could be made and the rates collected by union officers, dispensing with the irresponsible and troublesome interference of overseers; and that the general rating of mines would be an equitable measure:

That the 24th & 25th Vict. c. 55, is a most valuable alteration in the law; that a further modification is looked for, but that it would be fair to holders of property such changes should be gradual rather than sudden and comprehensive.

I have sometimes heard Guardians express a desire that the power of removal should be altogether abolished; that the Act 24 & 25 Vict. c. 55, is a step in the right direction, but must be further extended. Important suggestions on this point will be found in a memorandum addressed to the Board by Sir George Nicholls in November 1850, and to which I beg to call attention.

In conclusion, my inquiries tend to show no difference exists in the character or extent of the relief given to common fund as compared to parochial paupers. I am informed applications are frequently considered, and relief granted, before it is known to what fund such relief is to be charged, and my own observations generally coincide with this information.

I have, &c.
N. Edward Hurst.

The Right Hon. C. P. Villiers, M.P.,
President of the Poor Law Board, London.

App. No. 1.

(A.)

STATEMENT showing the Number of PAUPERS Charged to the Common Fund in 28* Unions on the 1st day of January.

UNIONS.	1861.	1862.	1863.	1864.
Bootle	46	39	49	66
Brampton	103	122	147	191
Carlisle	1,134	1,501	†2,269	1,614
Cockermouth	609	652	902	937
Whitehaven	418	446	596	842
Auckland	476	445	651	911
Chester-le Street	219	212	413	455
Durham	536	550	703	784
Easington	327	361	575	564
Hartlepool	313	304	325	363
Houghton-le Spring	344	328	483	546
Teesdale	281	253	296	343
Weardale	140	154	151	192
Belford	119	123	158	170
Bellingham	68	72	120	152
Berwick on-Tweed	284	250	432	495
Castle Ward	160	155	201	231
Haltwhistle	118	110	77	75
Hexham	308	341	607	519
Newcastle-on-Tyne	3,999	4,057	†6,354	5,985
Tynemouth	1,123	1,381	1,407	1,429
Kendal	426	709	†1,025	801
Bedale	114	128	177	154
Leyburn	100	100	123	149
Reeth	16	22	20	38
Richmond	114	142	165	154
Sedbergh	17	24	43	42
Ulverstone	436	493	788	772

* The only Unions in the District from which Returns have been received.

† Depression of trade at this period will account for the large excess of pauperism.

(B.)

STATEMENT showing the COST of RELIEF to Irremovable Poor in the Years ended Lady-day 1862 and 1863.

COUNTIES.	Years ended Lady-day 1862.	1863.
	£.	£.
Cumberland	13,468	19,115
Durham	26,545	35,149
Northumberland	21,604	30,528
Westmorland	3,016	4,977

(C.)

STATEMENT showing the Number of REMOVALS under Orders of the Justices in Five Unions.

UNIONS.	Years ended at Lady-day 1860.	1861.	1862.	1863.	To the Present Time, 1864.
Carlisle	18	10	8	3	—
Auckland	19	21	23	9	10
Durham	20	17	12	3	1
Newcastle-on-Tyne	44	49	58	33	5
Tynemouth	42	45	30	30	13

Note.—Returns from several other Unions have been received, but their accuracy is uncertain.

App. No. 1.

LETTER from Sir *John Walsham*, Bart., Poor Law Inspector, to the Right Hon. *C. P. Villiers*, M.P.

Operations of the Poor Removal Act of 1861.

Sir, Poor Law Board, 24 March 1864.

I AM at length in a position to reply to the letter of the 15th ultimo, in which Mr. Owen requested me to furnish you with any facts tending to exhibit the operation of 24 and 25 Vict. c. 55, s. 1; and it appears to me that I shall best fulfil your wishes by annexing, as Enclosure 1, a tabularised summary of the information which I have received from every union in my district upon the points to which Mr. Owen more particularly directed my attention.

On referring to Column A. in the enclosure, it will be seen that since 1861 the number of removals has diminished *considerably* in the 17 following unions, viz.:—

Chesterton	Cambridgeshire.
Ely	Cambridgeshire.
Linton	Cambridgeshire.
Billericay	Essex.
Colchester	Essex.
Maldon	Essex.
Tendring	Essex.
Dartford	Kent.
Faversham	Kent.
Medway	Kent.
North Aylesford	Kent.
Downham	Norfolk.
Flegg, East and West	Norfolk.
Forehoe	Norfolk.
Blything	Suffolk.
Mutford and Lothingland	Suffolk.
Samford	Suffolk.

Column B. indicates the 24 unions in which the number of removals *has diminished*, but *not* considerably. The following are the unions in question:—

Cambridge	Cambridgeshire.
Lesden and Winstree	Essex.
Orsett	Essex.
Romford	Essex.
West Ham	Essex.
Canterbury	Kent.
Dover	Kent.
Eastry	Kent.
Gravesend and Milton	Kent.
Blofield	Norfolk.
Depwade	Norfolk.
Erpingham	Norfolk.
Freebridge Lynn	Norfolk.
Guiltcross	Norfolk.
King's Lynn	Norfolk.
Norwich	Norfolk.
Swaffham	Norfolk.
Thetford	Norfolk.
Tunstead and Happing	Norfolk.
Great Yarmouth	Norfolk.
Bosmere and Clayden	Suffolk.
Ipswich	Suffolk.
Risbridge	Suffolk.
Stow	Suffolk.

In the remaining 34 unions of my district, and comprising the years 1861, 1862, 1863, with the years immediately preceding them, the difference in the number of removals is stated *not to be appreciable.* These unions are entered in Column C., and are as follows, viz.:—

Newmarket	Cambridgeshire.
Braintree	Essex.
Chelmsford	Essex.
Dunmow	Essex.
Epping	Essex.
Halstead	Essex.
Ongar	Essex.
Rochford	Essex.
Saffron Walden	Essex.
Witham	Essex.
Blean	Kent.
Bridge	Kent.
Hor	Kent.
Milton	Kent.
Isle of Sheppey	Kent.
Isle of Thanet	Kent.
Aylsham	Norfolk.
Cocking	Norfolk.
St. Faith's	Norfolk.
Henstead	Norfolk.
Lodden and Clavering	Norfolk.
Milford and Launditch	Norfolk.
Walsingham	Norfolk.
Wayland	Norfolk.
Bury St. Edmunds	Suffolk.
Cosford	Suffolk.
Hartismere	Suffolk.
Hoxne	Suffolk.
Mildenhall	Suffolk.
Plomesgate	Suffolk.
Sudbury	Suffolk.
Thingoe	Suffolk.
Wangford	Suffolk.
Woodbridge	Suffolk.

It is however to be remarked, in regard to the unions named in Column C., that my informants, with scarcely an exception, attribute the fact that no appreciable difference in the number of orders of removal has occurred since 1861, to the great diminution in such orders (leaving little or no margin for further diminution), which had already been the indirect result of the original Poor Law Amendment Act, and the direct result of Buller's Union Charges Acts.

With respect to the effect of the last Poor Law Removal Act in increasing the number of

App. No. 1.

persons chargeable to the Common Fund, such number has been increased considerably in the following 24 unions (see Column D. of the Enclosure), viz. :—

Chesterton	Cambridgeshire.	Downham	Norfolk.
Ely		Forehoe	
Newmarket		Guiltcross	
Billericay	Essex.	Henstead	
Chelmsford		Tunstead and Happing	
Colchester		Hoxne	Suffolk.
Epping		Ipswich	
Tendring		Mildenhall	
West Ham		Wangford	
Eastry	Kent.	Woodbridge	
Faversham			
Hoo			
Medway			
North Aylesford			

In the undermentioned 32 unions (to which Column E. relates) the number of persons chargeable to the Common Fund is reported to have increased during the last three years, but not considerably, viz. :—

Linton	Cambridgeshire.	Depwade	Norfolk.
Lesden and Winstree	Essex.	Erpingham	
Ongar		Flegg, East & West	
Orsett		Freebridge Lynn	
Rochford		King's Lynn	
Romford		Loddon and Clavering	
Witham		Mitford and Launditch	
Blean	Kent.	Swaffham	
Canterbury		Thetford	
Gravesend and Milton		Wayland	
Milton		Great Yarmouth	
Isle of Sheppey		Blything	Suffolk.
Isle of Thanet		Bosmere and Claydon	
Aylsham	Norfolk.	Cosford	
Blofield		Hartismere	
		Samford	
		Stow	

From Cambridge, Norwich, and Bury St. Edmunds, which maintain their poor out of one general fund, I have not been furnished with any specific statistics as to the increase or otherwise of common fund cases since 1861 ; and in the remaining 15 unions noted in Column F., the difference in the number of such cases during the period in question is apparently not appreciable. The following are the names of those unions, viz. :—

Braintree	Essex.	Docking	Norfolk.
Dunmow		St. Faith's	
Maldon		Walsingham	
Saffron Walden		Mutford and Lothingland	Suffolk.
Bridge	Kent.	Plomesgate	
Dartford		Risbridge	
Dover		Sudbury	
		Thingoe	

From every union in my district, with the three exceptions of Canterbury, Aylsham, and King's Lynn, that is to say, from 72 unions, I have received the positive assurance that no difference is made between the irremovable poor, whether having a settlement in the union or not, and the regular parochial poor (compare Column G. of the Enclosure).

The clerks of the Lynn Union and the Canterbury Incorporation have not returned any answer to the question I put to them on this point; and as I certainly never observed that the Guardians made any difference whatever between the irremovable and parochial poor, the omission to notice the point was probably accidental.

The clerk of the Aylsham Union reports the common fund paupers to be more strictly and less liberally dealt with in that union than the paupers chargeable to parishes, but that no difference is made as to the nature (whether in-door or out-door) of the relief given.

On the other hand, the clerks of the Flegg Incorporation and the Wangford Union state the common fund cases to be less strictly and more liberally dealt with than the parochial and removable cases.

In point of fact, however, very little, if anything, now remains of the feeling which may, to a limited extent, have at one time influenced the guardians of a few places in my district, to evince their dislike of Buller's Acts, by treating the applicants for relief whom they considered not to belong to them, somewhat more stringently than the applicants whom they considered as being more particularly their own poor. Where this feeling still lingers, it is to be found in town rather than in country unions; and even in towns it is almost impossible to prove its existence.

I have, &c.

John Walsham.

To the Right Hon. C. P. Villiers, M. P.,
&c. &c. &c.

App. No 1.

(Enclosure.)

A. Unions in which the Number of Removals has diminished considerably.

B. Unions in which the Number of Removals has diminished, but not considerably.

C. Unions in which the difference in the Number of Removals is not appreciable.

D. Unions in which the Number of Paupers chargeable to the Common Fund has increased considerably.

E. Unions in which the Number of Paupers chargeable to the Common Fund has increased, but not considerably.

F. Unions in which the difference in the Number of Paupers chargeable to the Common Fund is not appreciable.

G. Unions in which it is alleged that no difference is made between the Irremovable Poor, whether having a settlement in the Union or not, and the regular Parochial Poor.

	A.	B.	C.	D.	E.	F.	G.
CAMBRIDGESHIRE:							
1. Cambridge		—	(a)				—
2. Chesterton	—			—			—
3. Ely	—			—			—
4. Lincoln	—				—		—
5. Newmarket			—	—			—
ESSEX:							
6. Billericay	—			—			—
7. Braintree			—			—	—
8. Chelmsford			—	—			—
9. Colchester	—			—			—
10. Dunmow			—			—	—
11. Epping			—(b)	—			—
12. Halstead	(c)			N.R.			—
13. Lesden and Winstree		—			—		—
14. Maldon	—					—	—
15. Ongar			—		—		—
16. Orsett		—			—		—
17. Rochford			—		—		—
18. Romford		—			—		—
19. Saffron Walden			—			—	—
20. Tendring	—			—			—
21. West Ham		—		—			—
22. Witham			—		—		—
KENT:							
23. Blean			—		—		—
24. Bridge			—			—	—
25. Canterbury		—			—		(?)
26. Dartford	—					—	—
27. Dover		—				—	—
28. Eastry		—		—			—
29. Faversham	—			—			—
30. Gravesend and Milton		—			—		—
31. Hoo			—	—			—
32. Medway	—			—			—
33. Milton			—		—		—
34. North Aylesford	—			—			—
35. Sheppey, Isle of			—		—		—
36. Thanet, Isle of			—		—		—

(a) All the poor of Cambridge are charged to a common fund.
(b) It is stated that the number of removals from metropolitan unions are considerably increased since 1861.
(c) Clerk new in office, and without information as to the past.

App. No. 1.

	A.	B.	C.	D.	E.	F.	G.
Norfolk:							
37. Aylsham			—		—		(a)
38. Blofield		—			—		—
39. Depwade		—			—		—
40. Dorking			—			—	—
41. Downham	—			—			—
42. Erpingham		—			—		—
43. Faith's, St.			—			—	—
44. Flegg, East and West	—				—		—(b)
45. Forehoe	—			—			—
46. Freebridge Lynn		—			—		—
47. Guiltcross		—		—			—
48. Henstead			—	—			—
49. King's Lynn		—			—		(?)
50. Loddon and Clavering			—		—		—
51. Mitford and Launditch			—		—		—
52. Norwich		—		(c)			—
53. Swaffham		—			—		—
54. Thetford		—					—
55. Tunstead and Happing		—		—			—
56. Walsingham			—			—	—
57. Wayland			—		—		—
58. Yarmouth, Great		—			—		—
Suffolk:							
59. Blything	—				—		—
60. Bosmere and Claydon		—			—		—
61. Bury St. Edmunds			—	(c)			—
62. Coxford			—		—		—
63. Hartismere			—		—		—
64. Hoxne			—	—			—
65. Ipswich		—		—			—
66. Mildenhall			—	—			—
67. Mutford and Lothingland	—					—	—
68. Plomesgate			—			—	—
69. Risbridge		—				—	—
70. Samford	—				—		—
71. Stow		—			—		—
72. Sudbury			—			—	—
73. Thingoe			—			—	—
74. Wangford			—	—			—(c)
75. Woodbridge			—	—			—
Grand Total	17	24	34 (b)	24	32	15	72

(a) All the poor are relieved out of the Common Fund.

(b) Relief to Common Fund paupers said to be less strictly and more liberally administered.

(c) All the poor are relieved out of the Common Fund, including which is doubtful.

Letter from Mr. *Corbett*, Poor Law Inspector, to the Right Hon. *C. P. Villiers*, M.P.

Sir, Duffield House, near Derby, 31 March 1864.

On receipt of Mr. Owen's letter of the 15th ultimo, requesting me to furnish you "with any facts or opinions I might be able to collect in my district, tending to exhibit the operation of the 1st section of the Poor Law Removal Act of 1861," I addressed a circular to the several clerks to the guardians throughout my district to the effect of Mr. Owen's letter; and I now send you the annexed Return, embodying, under the several heads upon which information was requested, the substance of the replies I have hitherto received. It will be seen that I am still without replies from the clerks of the Chorlton, Derby, Keighley, and Denistone Unions; but conceiving that you will be desirous of having an answer before the close of this week, I will not longer delay forwarding this return, which has already been deferred much longer than I could have wished, owing to the difficulty the clerks have had in many unions in obtaining from the overseers the requisite data to enable them to reply to the first query.

Taking this point first in order, you will see that the general tendency of the 1st section of the Act has been to diminish the number of orders of removal; and it appears to be a fact that in the great majority of my unions, a considerable diminution has actually taken place, notwithstanding the immense increase of pauperism in the district during the past

past two years, which has naturally tended to give an impetus to removals in many of the most distressed unions.

In Glossop—where previous to the Cotton Famine the demand for labour was such that the few persons who became temporarily chargeable were rarely if ever removed—the unexampled stoppage of the mills, which has borne so heavily on that union, has there caused a considerable increase in the removals. The only other unions in which an increase is reported are Oldham, Saddleworth, and Salford; and although in Oldham, and probably in some other unions, the first effect of the statute appears to have been to increase the vigilance of the overseers in obtaining orders of removal for persons chargeable, when the period of three years' residence was near expiring, this cause would have no material operation but for the accompanying dearth of employment; and the Clerk to the Salford Guardians gives it as his opinion that the number of removals (which in that union has nearly doubled since 1860) would, but for the operation of the Act, have been more than quadrupled. In Leeds there has been an increase as compared with 1859 and 1860; but that was an exceptional year, and the number of removals from that township last year was about the average of the four preceding years.

Here, however, it is somewhat remarkable that the same result is not exhibited as in the neighbouring unions of Bradford, Dewsbury, Halifax, and Huddersfield, in each of which the removals have greatly diminished.

Manchester is the only place where such diminution has taken place in which it is not attributed to the operation of the Act. Of course some unions where removals were previously very rare have not been affected by it.

Under the second head it will be found that the number of persons chargeable to the common fund has, in almost every instance, very materially increased since the passing of the Act, but the increase throughout the greater part of this district has of course been considerably enhanced by the existing distress.

Lastly, although at Ashbourne, Ashton-under-Lyne, Ormskirk, and Wigan the Guardians may not evince the same interest in common fund cases as they do in those chargeable to their individual parishes, these are exceptional cases; and I quite concur in the opinion, almost invariably expressed throughout my district, that relief is administered generally without reference to chargeability, and the common fund cases watched, at least, as carefully as the others.

I am, &c.
H. Corbett,
Poor Law Inspector.

To the Right Hon. C. P. Villiers, M.P.,
President Poor Law Board.

(Enclosure.)

Mr. Corbett's District.

RETURN showing the Operation of the Poor Removal Act (24 & 25 Vict. c. 55), 1861, with reference to the Decrease of Removals by Order of Justices, the Increase of Paupers to the Common Fund, and as to the Administration of Relief to Paupers charged to the Common Fund.

UNION.	In Diminishing the Number of Removals under Orders of Justices.	In Increasing the Number of Persons Chargeable to the Common Fund.	Whether Relief is given to Common Fund Paupers with greater Laxity than to Paupers charged to Parishes.
hbourne - -	The effect of the enactment referred to has to some extent diminished the number of removals by order of justices.	The number of persons charged to the common fund has very much increased.	It is notorious that the relief to paupers on the common fund is administered with greater laxity than to paupers charged to parishes, perhaps not so much intentionally, but from the force of the circumstance that no guardian feels any special interest in a common fund case.
hton-under-Lyne	Removals to a great extent have been suspended, especially during the earlier period of the existing distress.	During the year ended 1861 the out-door relief charged to the common fund was 55 per cent., and during the year ended September 1863 it rose to 82 per cent.	Less interest is taken by individual guardians to get paupers off the books charged to the common fund than to their own parishes.
kewell - -	No orders of removal - - - -	Numbers increasing - - - -	No difference is made.
rnsley - -	Removals decreased - - - -	The numbers have considerably increased.	No difference. The operation of the Act beneficial.
rton-upon-Irwell	Removals diminished. The cotton operatives who have become chargeable have, for the most part, not had a settlement in the township of their residence, but have generally obtained a status of irremovability.	The numbers have increased to a very great extent, from the combined causes of depression of trade and the operation of the Act.	If anything, the common fund cases are more carefully watched by the Guardians than the others.

UNION.	In Diminishing the Number of Removals under Orders of Justices.	In Increasing the Number of Persons Chargeable to the Common Fund.	Whether Relief is given to Common Fund Paupers with greater Laxity than to Paupers charged to Parish
Belper	Orders of removal considerably diminished since the Act came into operation.	Persons chargeable to the common fund have increased.	No difference.
Blackburn	The number of persons legally removable in consequence of the Act has diminished.	The increase to the common fund by the transference of those paupers who have resided three years is very large.	No difference.
Bolton	Since the passing of the Act removals have diminished to a great extent, but to what extent it is difficult to estimate, consequent upon the influx of pauperism occasioned by the prevailing distress, which has tended much to retard the operation of the Act. The removals have, for the most part, occurred in Bolton; and if trade had continued in a prosperous state for three or four years after the passing of the Act, there would have been but few removals. Many removals have taken place during the last 12 or 18 months in consequence of break of residence, and desertions by heads of families; and until a return of prosperity in trade takes place, it is impossible to form any correct comparison of removals with former years. In this union the passing of the Act, by lessening the period of irremovability, has prevented the removal of many families who would otherwise, by obtaining relief in this emergency, have been removed away to some distant place.	In the half-year ended March 1862, there were chargeable to the common fund 2,979 persons. In the half-year ended September 1862, the half-year after the Act came into operation, 4,818 persons; in the half-year ended March 1863, 9,312 persons; and for the half-year ended September 1863, 7,283 persons became chargeable.	There is no difference.
Bradford	The number of removals is very much diminished; in illustration of which the law bills for the removal of paupers in three townships in 1861 amounted to 240 *l.*, and in 1863 to only 63 *l.*	The increase in the number of persons chargeable to the common fund in this union has been considerable since the passing of the Act.	No difference.
Burnley	The operation of the Act has diminished removal cases about four-fifths.	Prior to the passing of the Act the ratio of persons chargeable to the common fund amounted to 63 per cent.; since the Act came into operation, and during the great depression of trade, it is 81 per cent.	No difference.
Bury	There is no perceptible difference in the number of removals under orders of justices. The alteration which the first section makes from five years' residence in a parish to three in the union makes the actual number removable less; but there is more vigilance on the part of the overseers, especially if the relief given is large and likely to be long continued for want of employment. On the other hand, but for the present cotton famine, removals would have been diminished.	Not less than one-tenth of the applicants for relief are made chargeable to the common fund, who but for this Act would have been chargeable to parishes in which they reside, and consequently liable to be removed.	No difference.
Chapel-en-le-Frith	No orders of removals have been taken out in any case arising within the union for nearly four years.	The number of persons chargeable to the common fund has been increased to a slight extent.	No difference.
Chesterfield	The orders of removals under justices are, on the whole, diminished.	The Act has rendered a great bulk of the paupers in this union irremovable.	No difference.
Chorley	The diminution has been considerable	Considerable increase	No difference.
Chorlton	No reply.	—	—
Clitheroe	The number of removals has decreased in this union.	No reply upon this point	No difference.
Derby	No return.	—	—
Dewsbury	In consequence of the passing of the Act, removals under orders of justices have been greatly diminished.	The number of persons chargeable to the common fund has materially increased since the passing of the Act.	No difference.
Fylde, The	The Act has had no effect in diminishing the number of removals from this union, the average number being only about three per annum.	The number has increased; before the passing of the Act 26 per cent. was chargeable to the common fund, since then 43 per cent.	No difference.
Garstang	The operation of the Act has had the effect of diminishing the number of orders of removal.	Since the passing of the Act, the number of persons chargeable to the common fund is threefold.	No difference.

UNION.	In Diminishing the Number of Removals under Orders of Justices.	In Increasing the Number of Persons Chargeable to the Common Fund.	Whether Relief is given to Common Fund Paupers with greater Laxity than to Paupers charged to Parishes.
sop - - -	Since the passing of the Act, removals have considerably increased; previous to the distress, few persons were removed who had become temporarily chargeable, but during the last two years persons who have not resided three years in the union have been removed.	This union having been constituted one parish for rating and chargeability, relief given to irremovable poor is not charged to the common fund as in most other unions.	—
ifax - - -	The number of removals is greatly diminished; not more than one in ten within the same time as before the passing of the Act.	The increase is at least 30 per cent. -	No difference.
lingden - -	The passing of the Act has diminished the removal of paupers to a very great extent.	The number has increased considerably	No difference.
field - -	This union being a small one, removals by order of justices seldom take place.	Certainly increased - - - -	No difference.
ldersfield - -	The removals have dwindled away to almost nothing; six only occurred during the year 1863.	The number of persons chargeable to the common fund has increased.	No difference.
ghtley - -	No return.	—	—
hcaster - -	The number of removals under orders of justices is very small in this union.	There are 285 persons chargeable to the Common Fund in consequence of irremovability by residence; 210 of these would have been irremovable under s. 1 of 9 & 10 Vict. c. 66; but the remaining 75 would, but for the first section of 24 & 25 Vict. c. 55, been removable.	No difference.
ds - - -	The number of removals have for the last four years averaged about 73 per annum, the lowest number being 55 in 1859-60, and the highest 87 in 1861-62.	As a single parish this question does not apply.	—
gh - - -	The removals have diminished - -	The number of persons chargeable to the common fund has increased since the Act came into operation.	No difference.
rpool - -	The removals both on and from the passing of the Act have fallen off considerably; this result is in a great measure due to the working of the Act.	As a single parish the question does not apply.	—
nchester - -	Although the number of orders of removal taken out by the overseers of this township has diminished since the passing of the Act, the decrease is not attributed to the first section, but to other causes unconnected with any alteration in the law of settlement.	As a single township the question does not apply.	—
rth Bierley -	The number of removals under orders of justices has, since the Act came into operation, diminished very considerably.	The number of persons chargeable to the common fund has increased.	No difference.
dham - -	Shortly after the passing of the Act, the number of removals under orders of justices was for some time diminished on account of the overseers having always considered it unadvisable to remove on what they considered casual cases, but since the limitation by the statute to 3 years, they have been more active in their duty, and have taken steps to remove on the first application for relief.	The restriction of removal from 5 to 3 years has increased the number of persons chargeable to the common fund.	No difference.
nskirk - -	In this union the number of removals under orders of justices has never been large, but at the same time the Act of 24 & 25 Vict. c. 55, has had a tendency to diminish them.	The number of persons chargeable to the common fund has slightly increased, and is increasing.	Township cases are more closely investigated than common fund cases, and the relief is administered with greater caution.
nistone - -	No return.	—	—
escot - -	There were previously to the Act coming into operation few removals, and the 3 years' residence in any part of the union has made them less.	The number of persons chargeable to the common fund has increased considerably.	No difference.

UNION.	In Diminishing the Number of Removals under Orders of Justices.	In Increasing the Number of Persons Chargeable to the Common Fund.	Whether Relief is given to Common Fund Paupers with greater Laxity than to Paupers charged to Parish
Preston - -	It would be difficult to give an approximate statement as to the effect of the Act in question on the number of removals, in consequence of the manufacturing distress and the extraordinary numbers thrown by it on the rates.	So far as the township of Preston is concerned, the Act of 1861 has placed fully one-third of the paupers in receipt of relief upon the common fund.	Relief is not administe to common fund paup with greater laxity th to paupers charged parishes.
Prestwich - -	The removals have very little (if at all) diminished under the operation of the Act.	The number of persons chargeable to the common fund has increased considerably, and that the Act is working very satisfactorily.	No difference.
Rochdale - -	The operation of the first section of the Act has tended to a very considerable extent to diminish the number of removals under orders of justices.	The number of persons chargeable to the common fund has considerably increased.	No difference.
Saddleworth - -	The Act has rather increased than diminished the number of removals under orders of justices.	As a single township this question does not apply.	—
Salford - - -	In the year 1860, 46 removals took place; and in 1863, 90; but if the 24 & 25 Vict. c. 55. s. 1, had not been in operation, 200 cases would have been removed.	The number of persons chargeable to the common fund has greatly increased.	No difference.
Settle - - -	The number of removals are less in consequence of the operation of the Act.	The number of persons chargeable to the common fund has increased.	No difference.
Shardlow - -	The number of removals under orders of justices is greatly diminished, indeed it is now a rare thing for an order to be taken out, either from or to parishes in this union.	The number of persons chargeable to the common fund is considerably increased, and will still further increase, as a necessary consequence of the Act.	No difference.
Skipton - -	Except during the first six months after the Act came into operation (when there was an increase) the number of removals under orders of justices has diminished.	The number of persons chargeable to the common fund has increased.	No difference.
Stockport - -	Removals under orders of justices greatly decreased.	Persons chargeable to the common fund greatly increased.	No difference.
Todmorden - -	The Act has certainly diminished the number of removals under orders of justices.	The number of paupers to the common fund has increased.	No difference.
Toxteth Park -	The number of orders of removal by justices has been reduced.	The number of persons chargeable to common fund has increased.	No difference.
Wakefield - -	The number of orders of removal were, in 1861, 37; and in 1863, 8.	Great increase has taken place in the number of persons chargeable to the common fund, especially in the townships of Wakefield, Alverthorpe, and Stanley, where the Irish are met with in great numbers. The increase in the country villages is very trifling.	No difference.
Warrington - -	The first section of the Act has naturally tended to diminish the number of removals under orders of justices, and is a great boon to poor persons.	The number of persons chargeable to the common fund has increased.	No difference.
West Derby - -	The number of orders of removal has considerably decreased.	The number of persons chargeable to the common fund has increased.	No difference.
Wigan - -	The first section has slightly diminished the number of removals under orders of justices.	The number is not largely increased -	Relief is administered common fund paup more liberally than paupers chargeable parishes.

LETTER from Mr. *Graves*, Poor Law Inspector, to Mr. *Hugh Owen*.

29, Grosvenor-place, South Cheltenham,
7 April 1864.

My dear Sir,

I HAVE to acknowledge the receipt of your letter, of the 15th February last, requesting me to furnish the President with any facts or opinions, which I might be able to collect in my district, tending to exhibit the operation of the first section of the Poor Removal Act of 1861 (24 & 25 Vict. c. 55).

1st. In diminishing the number of removals under Orders of Justices.

2nd. In increasing the number of persons chargeable to the Common Fund.

The inquiries which I have made since I have received your letter, lead me to believe that the number of removals in my district, in the two years since the 25th March 1862, has been less than in the two years preceding that date, and that the diminution is principally due to the operation of the Poor Law Removal Act of 1861.

I have no doubt that the number of persons chargeable to the Common Fund, has been rapidly increasing in my district from the same cause, especially in those unions which are not chiefly agricultural.

I regret, however, that I am unable to furnish the President with precise information as to the extent and ratio of the diminution in the number of removals, and of the increase of persons chargeable to the Common Fund; I do not know how I could obtain satisfactory information of statistical value on the first head, without addressing circular letters of inquiry to the clerks to the justices acting in my district. No official returns are made to me by clerks to the guardians which would enable me to ascertain the increase of common charges as compared with parochial charges.

Your letter further informs me that the President would be glad to know whether, in my opinion, any difference exists as to the extent or character of the relief granted to the Common Fund paupers; from that granted to parochial paupers,; in other words, whether relief is more strictly or less strictly administered in the case of the former class than in that of the latter.

From inquiries addressed to experienced guardians, and from personal observation, I have come to the conclusion that there is no general difference in the treatment of the two classes. The existence of parochial paupers does, especially in the case of rural parishes, give a stimulus to the attendance of elected guardians at Board meetings. It is not uncommon for an elected guardian to leave the Board when the cases of the paupers chargeable to his parish are disposed of; and, in some unions, it appears to me that the general body of the guardians rather defer too much to the opinion of an elected guardian respecting a pauper case in his own parish, as if they considered that it would almost be a breach of etiquette to interfere with his recommendation. For this reason, I think that, on the one hand, there is upon the whole a closer sifting of parochial cases by individual guardians; and, on the other hand, there may be in such cases more frequent instances of favour or prejudice uncorrected by the Board at large.

Parochial paupers have a slight advantage over common fund paupers in the greater interest which their fellow parishioners feel in finding them work, and I have heard of cases (more rarely, however, of late years than formerly), in which a pauper about to acquire irremovability by length of residence, or actually irremovable, has been made to feel that, unless he broke his residence, he would meet with no indulgence either in the employment or in the kind of relief offered to him.

As far as my observation extends, relief in general is fairly administered without distinction between parochial and common fund poor, when they are known to be equally deserving and equally necessitous. If all paupers were thrown upon the common fund, it is my impression that the administration of relief would be slightly (and but slightly) improved in fairness and uniformity; and that, after some time (not at once), guardians acting on behalf of the union would attend Board meetings as well as they now do under the more special stimulus of parochial interest.

If such an alteration in the law were made, the Poor Law Board should have the power of altering the districts to be represented by guardians by grouping parishes.

I am, &c.
(signed) *John T. Graves.*

Hugh Owen, Esq.

Appendix, No. 2.

OBSERVATIONS* of the POOR LAW INSPECTORS on the Chief Propositions embraced by the PETITIONS presented to PARLIAMENT during the Session of 1860, on the subject of the POOR LAW BOARD.

App. No. 2.

PROPOSITION 1. That the Office of Poor Law Inspector be abolished, or that the number of Inspectors be reduced.

OBSERVATIONS.

Mr. *Gulson.*—It has been truly said that the Poor Law Inspectors are the eyes and ears of the Board; and certainly the Poor Law Board would have little opportunity of becoming acquainted with the proceedings of Boards of Guardians, or of obtaining much information which is essential to the practical exercise of their functions, if the office of inspector were abolished.

I do not, in fact, perceive how the Poor Law Board could usefully exist without inspectors.

As regards the reduction of the number of inspectors, the Board have better means of judging than myself. Looking, however, to the great extent of my own district, and the imperfect facilities of communication in a portion of it, I do not consider that, consistently with the public service, the district could be enlarged, or additional duty be properly performed by the inspector in charge of it.

Mr. *Hawley.*—In dealing with this proposition, the points to be considered are, how far, if at all, the services of the inspectors are required in the present advanced state of the law—whether the necessities which called them into existence as Assistant Commissioners to aid in establishing it in its infant state, still exist in its maturity, and whether their continued agency in the character of inspectors is indispensable in maintaining its efficiency and preventing decadency.

The peculiar duties which were devolved upon the Assistant Commissioners in the formation of Unions necessarily ceased with the completion of that labour, but not entirely, for whilst Gilbert Incorporations remain to be dissolved, single parishes to be dealt with, districts under local acts to be remodelled, and the constitution of existing unions with respect to the separation and addition of parishes to be modified, which is not unfrequently the case, those duties must again be called into action, and they will obviously be executed with greater judgment and effect by those who have experience and a thorough knowledge of the localities and persons they have to deal with to guide them, than by persons specially and temporarily appointed for the purpose.

But omitting the inquiry, whether the duties above specified are hereafter to be performed by permanent or temporary agents, it is evident from the provisions of the Statute (4 & 5 Will. 4, c. 76) that the Assistant Commissioners were intended as aids to the Central Boards, not only in the act of construction but also in the future superintendence of the unions established throughout the country; and the question which has been raised by the advocates for the abolition of the office appears to resolve itself into this, namely,—whether or not the functionaries to whom their management is intrusted are, like little children who have just gained the use of their legs, in a fit state to go alone.

The state of excellence to which many of the Unions have arrived in their management is too well known to require the test of evidence, and it is a source of constant gratification to the inspectors to co-operate with the guardians who have the good sense to understand and appreciate the law, and the determination to enforce it; but excellence is not perfection, and at the best regulated Boards, a few members are frequently to be found who, opposed to the principle of restriction, would gladly escape from its trammels if they had the power, and are incessantly endeavouring to counteract the proceedings of their more orderly colleagues. In such cases, the interference of the inspector is hailed by the latter with satisfaction, as it removes an onus from their own shoulders, and gives them confidence in the faithful discharge of their duties whilst it represses the hostility of the former and explains and vindicates the law.

Unfortunately, however, cases occasionally occur in which the majority of a Board is opposed to dictation from the central power, and in these the personal explanations and expostulations of the inspector usually compose differences which no amount of correspondence would have succeeded in calming; and I believe that, in the exercise of this function alone, the services of the inspectors are of a value which cannot be over estimated, and that their removal would not only embarrass the Central Board, but would frequently cause a dead lock in their proceedings.

But the value of their services is not to be appreciated alone by their personal communications with the Board of Guardians. The inspection of the workhouses is a duty of paramount importance, and on its proper and constant performance depend the comfort of the inmates and the conduct of the officers. On the inspector is devolved the responsibility of seeing that the workhouse regulations are fully carried out; in which

* These "Observations" were supplied to the Poor Law Board in September and October 1860.

which are comprised—order and cleanliness in the workhouses, the clothing, employment, and health of the inmates, the dietaries and quality of provisions, the state of the schools and religious instruction; and he is also bound to attend to all complaints which the inmates may have to prefer against the officers. The guardians are in like manner charged with the responsibility of seeing the regulations properly observed, and, as a general rule, their duty in this respect is fairly performed; but there are instances in which they fail to make their periodical inspections or to report their results, and in such cases the certain but unexpected visits of the inspector are the only security for preserving order, and keeping the different officers up to their duty. I have it in my power to speak in very favourable terms of the general management of the workhouses, and the conduct of the several staffs of officers in the unions in the district under my charge; but there is scarcely a workhouse, even the best managed, in which, at times, there is not some infractions of the rules to be noticed—some practice to condemn and some alteration to object to—matters for which the guardians are frequently as much to blame as their officers; and a tendency to retrogression is consequently created in some of the worst-regulated workhouses, which, if not carefully watched by the inspectors, would eventually reduce them to the state of some of the old poorhouses. The guardians cannot, in fact, in all cases be relied upon for maintaining order and regularity in the workhouses; even their "improvements" are sometimes deteriorations, and without the unremitting and vigilant supervision of those establishments by the inspectors, innovations fatal to the proper management would be introduced, and all *uniformity* of system would come to an end.

To the advocates for the total abolition of the office of inspector, the only answer appears to be that their proposition cannot be carried out without endangering the stability of the system of Poor Law Management. But there are others who contend that only a partial abolition of the office should be effected, and that the number of the inspectors should be reduced. Of these it may be inquired, whether they are aware of the labour, fatigue, and anxiety which the duties of the inspectors impose upon them. They probably imagine that they consist of a few pleasant periodical excursions round their districts, a little desultory conversation at the Boards of Guardians, a lounge occasionally round the workhouses, with a letter to write now and then, to diversify their occupations—without being at all aware of what their employment really consists. For myself, I can state that the business of the district now under my charge occupies the whole of my time, and any extension of its area, by reducing the number of the inspectors and consolidating the vacant districts with others, would result, not in an increased occupation of time, for that would be impossible, but in a more diluted, and consequently less effective discharge of the duties. The advocates for the *reduction* (or to take the converse of the proposition) the retention of a *portion* of the inspectors, indirectly admit the necessity of the office, which, if maintained, should be maintained effectively, and their suggestion can only have been dictated by false views of economy.

Mr. *Weale.*—It is of the very essence of the present Poor Law that the local authorities should be subject to the supervision of the Central Board, and responsible to it for the due discharge of their duties. Plainly, therefore, the Central Board must possess officers of its own, to keep it acquainted with the proceedings of the Local Boards, and to be organs of communication between the two; hence the office of inspector. So far as my own experience goes, the vast majority of Boards of Guardians are glad to receive the visits and to listen to the counsel of the inspector, especially in times of scarceness and difficulty, because they feel that a certain share of responsibility is in this way transferred from themselves to the central authority. If the number of inspectors be diminished, the visits of each to the Boards of Guardians and workhouses in his district must be made at longer intervals, and his general supervision becomes less exact; should this take place, the Boards of Guardians would, in my opinion, for the most part, feel that they were deprived of that assistance and support from the Central Board which they had a right to expect, and numerous irregularities in the administration of relief would be permitted to creep in, which are now detected and checked by the fact that the guardians have frequent opportunities of consultation and conference with the inspector. App. No. 2.

Sir *John Walsham.*—With regard to the abolition or diminution of the number of Poor Law Inspectors, the opinion of one of them must, I suppose, be liable to be regarded suspiciously. But as 25 years' experience of the duties of the office ought to qualify me to know what those duties are, I will venture to express my conviction that in describing the Assistant Poor Law Commissioners (subsequently converted into Poor Law Inspectors) as the eyes and ears of the Central Board, Sir James Graham supplied, many years ago, an accurate illustration of the relation in which those functionaries stood and stand to the Poor Law Commissioners and the Poor Law Board. Deprive the Poor Law Board of their local representatives, and they will be obliged to deal with very many of the multitudinous cases brought under their consideration at haphazard; and it will follow, as of course, that the power of dismissing all paid officers (claimed inconsiderately by some of the petitioners) must thenceforward be vested in the guardians, since the Board would have been left without the means of instituting official inquiries into the conduct of such officers, or of maintaining a more dignified appearance than that of a registry office for the proceedings of Boards of Guardians.

The abolition of Poor Law Inspectors and the abolition of the Poor Law Department I consequently look upon as convertible terms, but I am not prepared to speak as unhesitatingly with regard to the diminution of the number of inspectors.

Undoubtedly if the instructions of the Poor Law Inspectors were henceforward to require from them one instead of two annual visits to each union under their charge, fewer inspectors might apparently suffice, but it is obvious that their superintendence would in every respect lose greatly in point of effectiveness. Nor do I believe the great majority of Boards of Guardians would desire to see any diminution in the number of inspectional visits. On the contrary, I rarely attend a Board of Guardians (and I am punctual

App. No. 2.

punctual in fulfilling my prescribed duties) that I am not received with expressions implying, rather reproachfully, that I have been absent a long time, and that it would be more agreeable to the guardians if they saw me oftener. My personal experience on this point is, I am convinced, a mere echo of that of my colleagues.

It may, however, be urged that if only two visits are annually required, from myself for instance, to each of my unions, which are only 76 in number, I could, by no very extraordinary exertions, pay a similar number of visits to a greater number of unions.

It may be so; but whether it would be fair to me, or advantageous to the public service, is another question.

I have referred to my Remembrancers and Diaries for the last three years, from Michaelmas 1857 to Michaelmas 1860, and I find that during that period I have travelled on the public service 19,651 miles, that I have paid 234 inspectional visits to the workhouses of my district, and prepared 234 detailed reports of the results; and that 170 of these 234 visits involved attendances at the ordinary meetings of Boards of Guardians, a matter not always so easy to accomplish, as may be supposed, owing to the frequency of fortnightly meetings, and to neighbouring Boards meeting on the same day.

I find also that, besides my inspectional reports, I have prepared 156 weekly reports of business transacted; that I have held 32 special inquiries, 30 having reference to the conduct of paid officers, and the other two to a complicated case of settlement, and to a disputed election of guardians; and that of such 32 inquiries, some lasted more than a day, one lasted four days, all were prolonged, and, in a very high degree, laborious; many were difficult and distressing to conduct, and each involved the subsequent preparation of a long, often a very long report.

I find, further, that I have written various other reports on special subjects, and prepared different statistical tables during the three years in question, and that within the same period I have supervised the calculation by my clerk of new averages for 37 unions and incorporations, comprising above 1,186 parishes, and necessitating the extracting from the union accounts the casting up and the cross-casting of above 96,000 items.

Moreover, between the 1st October 1857, and the 1st October 1860, I have read, considered, and advised upon 7,998 papers and communications (frequently of an important nature) which have been either referred by the Poor Law Board for my opinion, or addressed to me by the guardians and officers of my district.

I venture, therefore, to think that the foregoing sketch of my habitual work proves that at all events I am not exactly a sinecurist; but, I believe that work to be light in comparison with the duties which some of my colleagues fulfil. In my district, the guardians are so well disposed towards the Poor Law Department that, out of my 76 unions and incorporations—although they are under prohibitory orders—petitions, in the sense of Mr. Potter's *ad captandum* circular, were only obtained for exceptional reasons from *two Unions*,* in neither of which have I ever met, nor should I ever meet, with the slightest ill-feeling towards the Poor Law Board.

If, then, my time has been thus fully occupied in so loyal a district, and if, during the last 13 years, I have not had one entire holiday—*i. e.*, a holiday in which, when absent on leave from my district, I have likewise been clear of all official correspondence,—what must have been the case with my colleagues, who are less fortunately circumstanced than myself?

I arrive, in consequence, at the conclusion that, as without the Poor Law Inspectors the machinery of the Poor Law Department would scarcely work at all, so with a diminished number of inspectors, it would work as clumsily and inefficiently as over-tasked machinery invariably does work.

Mr. *Pigott.*—I cannot conceive the existence of the present system of Poor Law administration without a regular system of inspection and personal superintendence, by officers of authority and station, calculated to obtain the confidence and respect of guardians and union officers. I believe that the workhouse system, which has cleared England and Wales of able male pauperism, could never have been established, nor could for any long time be held together, without such officers, and that the abolition of the office would be followed by difficulties, disputes, and abuses of every kind throughout the whole kingdom. In proportion as these superintending officers possess tact, information, and experience of the habits, feelings, and opinions of the important classes from which guardians proceed, will difficulties, arising out of misunderstandings or misconduct, be obviated, and the administration of this branch of the law proceed smoothly and uniformly. The numerous inquiries, so often necessitated, and the minutes on the papers daily referred to inspectors, appear sufficiently to demonstrate this.

As regards a reduction of their number, I consider that the only valid objection now as regards their office to be, that they are in all respects over-taxed. The waste of time in travelling, resulting from the extent of their districts, is enormous. For example:—In my district, the average yearly number of miles travelled cannot be taken at less than 8,000, which, at ten miles an hour (including delays), and six hours per day, absorbs in the mere act of travelling, exclusive of all business, 133 days, or nearly half the working year. I think, therefore, that it would be a very wise economy to increase their number from 12 to 16.

Mr. *Graves.*—The existence of inspectors tends to secure the co-operation of the central and local authorities, by making each better acquainted with the objects and difficulties of the other. The investigation of complaints by inspectors is a powerful check upon officers, and security against prejudiced decision. Their visits to workhouses tend to elevate the standard of management; their knowledge of practical details, gives weight to the suggestions which they communicate to the Poor Law Board. The abolition of inspectors would, in my opinion, cause a deterioration in the working of the Poor Law. I think that the aggregate duties imposed upon inspectors could not,

* Since writing the foregoing, I have ascertained that petitions were sent up to Parliament by *four*, instead of (as I had been led to suppose) *two* of my Boards of Guardians. This fact, however, makes no difference whatever in my views and argument.

ɔt, under ordinary circumstances, be well per-
rmed by fewer than 12 men.

Mr. *Doyle*.—To abolish the office of Poor Law
ıspector, would be in effect to abolish the central
ıthority. Boards of Guardians are precisely
ıose bodies with which a central authority can
:efully communicate only through the agency of
:rsonal representatives. The tenour of the daily
ɔmmunications between the Board and its in-
ɔectors, will show how impracticable it would be
rely only upon written correspondence with
e local authorities or their officers. The
ıaracter of the duties actually discharged by a
oor Law Inspector must determine the question
his usefulness, and the expediency of dis-
:nsing with his services altogether, or of so far
ducing the number of them that some portion
those duties must remain unperformed. The
ımber of inspectors is now practically reduced
11—a number which, in my opinion, can be
ıown to be below the necessities of the public
rvice.

Mr. *Manwaring*.—By abolishing the office of
oor Law Inspector the Board will be without
e means of knowing the general circumstances
condition of any given union, or of ascertaining
é facts of any particular case respecting which
ey may be required to express an opinion or to
t. The necessity of the inspectors for these
jects is so familiar to the Board that I am sure
ey will concur with me when I state that
ithout inspectors they would be utterly in-
pable of carrying on the present system of
ministration, or anything at all like it. In
ısiness carried on by correspondence the Board
ɔuld be at the mercy of any adverse or dis-
nest correspondent at every turn, and they
ɔuld be entrapped into the grossest and most
:trievable errors without the means of extri-
ting themselves.

Any material diminution in the number of in-
ectors would be attended with similar conse-
ıences, as they would not have time or oppor-
nity of acquiring information necessary for the
ɔard. In my own district an increase of inspec-
ɔn is wanted, instead of any part of it being
thdrawn; and I am now speaking merely with
ference to the one point of the Board being
pplied with information necessary for it to
ınsact its business with safety. Of other dis-
cts I offer no opinion. But if any district is
larged so as to deprive the inspector of the
portunity of obtaining or keeping up a compe-
nt, or, I may say, a familiar knowledge of the
:ardians, officers, &c., his inspection will cease
be of value to the Board; and the Board will
obliged, in such a state of things, to abandon
thoughts of contending against Boards of
uardians, or even private individuals of influence
posed to their authority.

Mr. *Farnall*.—On the 3rd of May 1847, Sir
Grey said, in the House of Commons, "It has
en found by experience that the arrangement
ıich confines the number of Assistant Commis-
ɔners to nine is defective. This has been found
be a great impediment to the working of the
w, and we propose to extend the limitation of
spectors from 9 to 12." On the same day, Mr.
. Miles said, "With regard to the Inspector
Assistant Commissioner, I would earnestly
commend the Right Hon. Bart. (Sir G. Grey),

not to put any number to which they should be limited in the Bill. It is utterly impossible to carry out the provisions of the Bill properly without a perfect supervision." On the same day, Sir W. James said, "I am glad the number of inspectors is about to be increased." On the 20th of May, Mr. Poulett Scrope said, "The Commissioners can only exercise the necessary supervision by the aid of the Assistant Commissioners, who were always the instruments; and the number of these officers has been diminished to such a degree that they were in the end utterly incapable of fulfilling their onerous and important duties; the consequence is that the Commissioners find themselves unable to discharge the functions required of them." The Committee of Inquiry into Public Offices say in their report on the Poor Law Board, dated July 20th, 1853, "If the staff of inspectors can be reduced in number, some saving may be effected. At the present time Mr. Austin is employed almost exclusively at the central office; and we believe that the work of local inspection is satisfactorily performed by the remaining 11 gentlemen." The Poor Law Inspectors, through their district duties, prevent the central authority from becoming isolated; they are, as it were, its witnesses throughout all England and Wales; they obtain local knowledge, local requirements, and local feeling; and they communicate all these to the Poor Law Board, and the President, when necessary, communicates them to Parliament. They attend meetings of Boards of Guardians very often, by the direct invitation of the guardians, and endeavour to prevent the tests of destitution being abandoned, or the law being carried out with undue severity. Their continual presence at Boards of Guardians is a guarantee that the law will be administered with economy, humanity, and expediency; for they endeavour not only to check laxity and irregularity, but also to check a stern and sudden administration of the law. They investigate the complaints of the poor on the spot; they confer with the poor personally; they shelter the poor from local abuse and local tyranny; they watch, confer with, and advise the paid officers on the spot; they look after the education and industrial training of pauper children in the schools and workhouses of their respective districts; they assist in maintaining the discipline, the healthiness, and the good management of workhouses. They are masters of the details of the arrangements and statistics of every union. Thus the central authority has a complete subordinate local authority throughout England and Wales, and so derives with ease and despatch such direct and distinct local knowledge as enables it readily and expediently to enforce its central power in any locality. Thus the poor are brought into immediate communication with the Central Board, and thus the central control partakes of local control. Thus, too, jobbing and abuse, and oppression, and humanity-mongering—which is still defined by many persons as the good old system—is repressed. The President is, as it were, everywhere through his inspectors, and so he is able everywhere to protect the best and true interests of both the ratepayers and the poor, to prevent unscrupulous persons from achieving false popularity, and to secure respect for and obedience to the law, together with a wholesome and strict economy in its administration.

App. No. 2.

Mr. *Hurst.*—The abolition of the office of inspector would render useless any central authority, and without these officers the Board cannot always secure impartial local information. The eyes of the central authority are the inspectors—their occasional presence on the spot to detect what is objectionable, and to induce uniformity and legality in the administration of relief, I believe to be a great stimulus to good management.

The pivot of the amended system is good workhouse accommodation, which the Board have but little power to enforce. From my own experience, perseverance and continual discussion on the part of the inspector alone can secure it.

With regard to reducing the number of inspectors, in a letter from the Board, dated 13th January 1847, the duties require an attendance at a meeting of each Board of Guardians once at least in every year, and if possible an inspection of a workhouse once in every six months. The number of unions and parishes to which these duties relate, being 653, renders the present staff of 12 inspectors essential, particularly as the occupation of one of them is chiefly directed to the auditors and the accounts. A reduction to nine was tried by 5 & 6 Vict. cap. 56, but was found to be insufficient; the limit was consequently removed by 10 & 11 Vict. cap. 109, and since that date nearly 50 unions and parishes have been added to the list.

Mr. *Cane.*—Without the inspectors the Board could hold no local enquiries upon oath, neither could they institute investigations of any kind, or obtain information through a channel on which they could implicitly rely. The Board, in the absence of the inspectors, would be cut off from all communication with guardians, officers, and rate-payers, except by means of the post. They could never know how far their regulations were carried into operation, what was the true effect of those regulations, what was the actual state of a workhouse, or what was the real condition of the poor.

A limited reduction in the number of inspectors would of course impair the means now available by the Board for all these purposes, and a considerable reduction would further cripple the action of the Board by rendering those means still less efficient.

The Board are obliged to restrict the services of their inspectors to questions of more than usual importance, and are rarely able to employ them on any other matters than such as can only be dealt with by a resort to the legal powers with which they are invested. If the inspectors' services were more readily available the Board would often be able promptly and satisfactorily to adjust and arrange questions which they can now only decide after an official correspondence, which necessarily extends over a considerable period of time, and which cannot always be conducted and concluded with the celerity which Boards of Guardians expect and require.

Special services, or services which are unavoidably protracted in one union, interfere with an inspector's regular visits to others; and I have reason to believe that when an inspector is thus prevented from attending a meeting, or from visiting a workhouse, guardians are apt to suppose that because his presence has been dispensed with on one occasion, his services may be dispensed with entirely.

Under such circumstances an *increase* rather than a *diminution* in the number of inspectors seems to be desirable.

Mr. *Lambert.*—If the central authority is to retain any power in the administration of the law, or over the officers concerned in it, I do not see how the office of inspector can be abolished.

It is through the inspectors that the Board is enabled to investigate disputed questions of fact, to enquire into the fitness of officers and the charges which may be brought against them; to ascertain the actual state and condition of workhouses, and to secure an approximate uniformity in detail in the proceedings of Boards of Guardians, in the administration of relief.

No one has ventured to say that gaols, lunatic asylums, factories, and mines should not be subject to inspection, and I am unable to see how the Government can leave workhouses, containing in the aggregate, at the present time, upwards of 102,000 inmates, most of them quite helpless from age or infirmity, without some better supervision than that which is ordinarily exercised by a committee of guardians, whose inspection is, at most, very imperfect, and made only at appointed and well-known times. The neglect of Boards of Guardians to appoint Visiting Committees, and of such committees to discharge their duties, became so notorious, that the Legislature thought it necessary to empower and require the Poor Law Board, by the 10 & 11 Vict. c. 109, s. 24, to appoint a paid visitor in all cases where such committee had not been appointed, or when they had neglected to visit the workhouse for three months; but in spite of this provision, I often find it necessary to remind the guardians of continued neglect on the part of the Visiting Committee.

Boards of Guardians have usually a very imperfect knowledge of the regulations for securing and enforcing the discipline of a workhouse, or the duties of officers; and although it is very seldom that their replies to the ordinary questions in the visitors' book disclose any irregularities, I scarcely ever inspect a workhouse without discovering some breach of discipline or practice requiring correction. The indisposition of guardians to spend money is so great, that without the suggestion of the inspector, supported by the Board, there would be but few, if any, improvements in workhouses, and some workhouses would be allowed to go into decay.

I do not find that those Boards of Guardians who manage their business well, either object to have their workhouses inspected or to the attendance of the inspector at their meetings. They are gratified and encouraged when his report is favourable, and if any officer has been guilty of a breach or neglect of duty, they themselves are spared the unpleasant task of reprimanding him, when the reproof comes from the inspector or the Board. In fact, I have frequently been requested by the guardians to speak to officers on points requiring attention or correction. Another great advantage of the present system of inspection arises from the uncertainty of the inspectors' visits, which is not the case in regard to inspection by the Visiting Committee.

For the same manner that inspectors are necessary to the Central Board, the existence of a Central Board is essential to the utility of the inspectors, for without a superior authority to

correc

rrect breaches of discipline detected by them, to enforce their recommendations in essential atters, their labours would cease to have any actical effect.

With reference to a reduction in the number inspectors, my deliberate opinion is, that in der to discharge the numerous and important ties in a thoroughly efficient manner, the pre- nt number ought rather to be increased. My strict embraces 61 unions, extending from Cam- idgeshire to the north of Yorkshire. My in- ructions require that I should visit and report on each workhouse twice a year, and that I ould attend a meeting of each Board of Guar- ans once a year. These duties are independent official enquiries into complaints against officers, sputed elections of guardians, and matters con- ected with surcharges by auditors, special visits workhouses and attendances at meetings of ardians and committees appointed by them, certaining averages, viewing parish property, swering the various papers referred to me by e Board, and which, during the last year, ex- eded one thousand; correspondence with officers d guardians, examining and analysing the se- eral weekly statistical returns, and preparing ecial reports, and other particulars required by e Board.

This enumeration will be sufficient to show at, without a further subdivision of districts, a diminution of existing duties, the present stem of inspection cannot be so effective as it ght to be.

ROPOSITION 2. That the Board be not em- powered to issue [general] Orders without the authority of Parliament; or, that the power of the Board to issue general Orders be restricted; or, that the Orders of the Board be submitted to each Board of Guardians affected by them, and where a majority of the Guardians object, the Orders to be imperative.

OBSERVATIONS.

Mr. *Gulson.*—I do not consider that the exist- g power of the Board as regards the issue of eneral orders, can be safely restricted; and as spects the submission of general orders proposed be issued to Boards of Guardians affected by em, for the purpose of being governed by the inion of the majority, I am satisfied that such course would be productive of great incon- enience, and be found practically inconsistent ith the public interests.

Mr. *Hawley.*—In confiding to the Poor Law ommissioners the power to issue general orders, e Legislature protected the concession by cer- in securities against undue exercise of it, by aking it imperative that copies of such orders ould be sent forty days before they could take fect, to one of Her Majesty's Principal Secre- ries of State, to be by him submitted to the rivy Council, and subsequently (if allowed) to arliament, within one week after the commence- ent of its session. The cognizance of the orders Parliament is therefore fully provided for; and, nsidering the various checks imposed upon the process of their promulgation, their establishment in any objectionable form, or on principles repug- nant to the opinions of the parties to whom they are addressed, is rendered highly improbable; consequently there can be no reason why they should at once be submitted to Parliament for its sanction, before they are permitted to take effect. Such a course, independent of its inutility, as not providing any stronger guarantees against an abuse of power would, in fact, be fraught with positive and serious inconvenience; for (as one case in point) if any sudden emergency should arise, from an outbreak of cholera or other epidemic, so as to render it necessary for the Poor Law Board to issue a general order to Boards of Guardians, directing them to take the necessary steps for the arrest of the disease, several months might elapse before the assent of Parliament could be obtained to put the order into execution. There therefore appear to be no grounds for altering the arrangements under which general orders are at present issued by the Poor Law Board.

The proposition for the restriction of the powers of the Poor Law Board in issuing general orders, is couched in such general terms as to render its drift unintelligible, and the discussion of it im- practicable.

The demand that the orders of the Board be submitted to each Board of Guardians affected by them, and where a majority of the guardians object the orders to be inoperative, is so prepos- terous as scarcely to deserve observation. The aim of the petitioners, in this case, is ostensibly to prevent the issuing of any orders, the terms of which are not defined or dictated by the Boards of Guardians, but it virtually amounts to the suppression of all restrictive orders, and would be destructive of all uniformity of action, and a usurpation of the prerogatives of the Poor Law Board, which would totally undermine their authority and reduce them to the condition of mere puppets in the hands of the guardians.

Mr. *Weale.*—It is impossible to embody in any statutory provision all the rules and regula- tions necessary for the administration of relief throughout the whole country, due regard being had to the fluctuations of trade, the special requirements of peculiar localities, and the inter- vention of unforeseen contingencies. It is pre- cisely to meet these cases, confessedly too numerous and occasional for the interference of Parliament, that the necessity arises for a Board possessing authority to issue such rules and regu- lations within the statute as are from time to time required. If, as proposed, the orders of the Board were submitted to all Boards affected by them, for the expression of their approval or dis- approval of them, previous to their enforcement, so many differences of opinion would probably arise that it would be impossible for the central authority to make a general order at all, or en- force a uniform system of relief throughout any particular district.

Sir *John Walsham.*—With regard to the third proposition, I apprehend that (to say nothing of the influence of public opinion, so strong in our days) the power of issuing general orders, which appears to me essential to the efficiency of the department, is already sufficiently fenced round with restrictions. To render the validity of orders issued by the Poor Law Board under such

App. No. 2.

such restrictions, dependent on the consent of a majority of a Board of Guardians, is merely to suggest in a roundabout way that the Poor Law Board be abolished as a central and controlling power.

Mr. *Pigott.*—I think that the power of issuing general orders is now properly and sufficiently restricted by the obligation of submitting such orders to the Secretary of State, and subsequently to both Houses of Parliament; and that orders which might be set aside by a majority of the guardians to whom they are issued would tend only to weaken the authority of the Poor Law Board.

Mr. *Graves.*—The power of the Poor Law Board to issue general orders is, in my opinion, advantageous and sufficiently restricted. The Parliamentary enactment of the general rules they prescribe would lead to too minute legislation, and their discretion would be unduly fettered by a compulsory deference to the views of local authorities.

Mr. *Doyle.*—The power of issuing general orders may be regarded as the foundation of the authority of the Board. No reason less cogent than its abuse can justify the proposal to abolish or restrict this power which was not conferred by Parliament without the fullest consideration. I am not aware that in this district any instance of abuse is alleged or pretended; but I know that several, and amongst them the most important Boards of Guardians in this district bear willing testimony to the advantages conferred by the general orders of the Board. These advantages are recognised more especially in the orders by which the Board control the administration of relief. Amongst the few unions in my district which have been induced to petition that the Continuance Bill might be referred to a Committee of the House of Commons was the Macclesfield Union, the centre of a district of great manufacturing importance. The petition from that union contains the following passage:—"That your petitioners have found, after long experience, the advantages that have uniformly arisen from the orders of the Poor Law Board prescribing the system of relief, and, whilst strongly urging the necessity of certain changes and modifications in the powers of the Poor Law Board, it is desirable that your petitioners should express their opinion of the soundness of the principles upon which those orders are based, and of the propriety of confirming them."

The Guardians of the Wolstanton and Burslem Union have passed a resolution in the same sense. Some of the most experienced and influential Guardians of the Wolverhampton Union have expressed to me their anxiety to be examined before any Committee that may be appointed, in support of the authority of the Board to control relief. One of them (Mr. Gettings, of Bilston) observing, "No greater calamity could befall the union than the giving to guardians more power in the administration of relief." In short, there is not a Board of Guardians in my district, representing a manufacturing population, that would not contemplate with dismay the success of any attempt to transfer to the Local Boards the power to determine the conditions upon which relief shall be administered. In purely agricultural unions the farmers would no doubt hail with satisfaction a change that would enable them to pay a portion of their labourers' wages out of the public rates.

Mr. *Manwaring.*—By giving guardians authority to accept or reject a general order, the Board will particularly be deprived of the power to issue orders of that description.

A general restriction upon the Board in this matter will take away from them the power essential to their existence with their present functions of controlling the administration of the Poor Law.

By preventing the Board from issuing general orders without the authority of Parliament, such orders as are necessary may sometimes be published and sometimes not, according to the views of either House, than which nothing can be more uncertain, owing to the want of information on the part of the members upon the matters which the proposed general orders concern. I assume that by this proposal is meant that general orders should be authorised by particular Acts of the Legislature.

I know that it is argued that the present code of orders, under which the Poor Law administration is carried on is complete, and that consequently the Board do not require to resort to any further exercise of their power of issuing general orders. This, however, is not the case. There are still important portions of the administration which require the regulations of general orders.

Mr. *Farnall.*—The principle of the law of Elizabeth is the text of the Poor Law Amendment Act, and the rules and regulations of the Poor Law Board are framed to bring the provisions of these enactments into a unity of principle, to give local authorities a true and definite interpretation of the law, and to make the administration of the law applicable everywhere. It is necessary that the Act of Elizabeth, which confers relief, should be administered in its genuine spirit, and in such a manner as will render it conformable to the state of society and to the institutions of the present day. The Poor Law Amendment Act was founded on the principle that a due provision for the poor should be secured in such a manner as, at the same time, to establish their interest and their happiness, rightly understood. In this spirit the rules and regulations of the Poor Law Board are always framed, and their result has been a prevention of the demoralisation of the poor and a safeguard for their independence, together with a true economy of the funds for relief. They keep the workhouse test in operation; they take care that habitual idleness shall not be encouraged, and that destitution shall be promptly and sufficiently relieved; they prevent the oppression of the poor, and they prevent also those abuses which may appear to benefit the poor, but which in reality are deeply injurious to the poor. They do not supersede local authority nor administer local law. They do not administer relief. The proposition now made is an attempt to reinstate the independence of parochial authority by weakening the centralised administration and destroying the power of subordinate legislation. But if no central authority existed, if no control were exercised over the parochial administration of the country, there would be no security for the performance of good local management, for good management by a Board of Guardians is partial and accidental, and dependent

pendent wholly on the exertions of some partiarly intelligent person. When a true system s been introduced into a country there should vays be some supervising authority with disetionary power to maintain and regulate it, herwise a relapse to false systems will ensue, ges be confounded with relief, the efficiency of e workhouse test will be weakened or destroyed, elligent guardians will be unable to maintain e law or to enforce it without reference to local personal considerations, and a struggle to tain out-door relief on easy terms will immeately commence. There are not wanting men o say that where the rules of the Poor Law oard have been most disregarded, there the oor Law had been best administered; these men ould have no discretionary authority vested in y one. But the power of making general lers, subject to a prompt and direct reonsibility to the House of Commons, must delegated; it cannot be given to the agistrates, for they have already signally iled. It cannot be given to the House of ommons, for the House of Commons would en become the arena for parochial legislation. cannot be given to the guardians of the poor r irregularity and dissimilarity of system, rtial relief calculated on private feelings or the easure of the guardians, and, in short, a system vicious legislation would be soon established. he rules and regulations of the Poor Law oard have been always those which Parliament ould have made. The rules are not pernicious principle or unjust in their operation, and us are not antagonistic to the interests of the oor, but exactly the reverse. The guardians nerally say they are contented to receive orders om the Poor Law Board, that they would ther have rules to guide them than be left holly to their own discretion in administering e law; the disposition of the people generally to adopt local administration with a central ntrol, and they are reconciled to the law. The eople do not ask for a restitution of the conolling power to local authority, and the suggeson that the Poor Law Board should not issue les and regulations or should submit them to e pleasure of the guardians, is uncalled for by e public generally; the public are contented at the present system shall be maintained, and at Boards of Guardians shall not be allowed to ercise, each in their own locality, their own naided discretion as to the mode of administering e Law of Elizabeth and the Poor Law Amendent Act.

Mr. *Hurst.*—I think alteration unnecessary ith regard to the general orders of the Board. hen framed, the Poor Law Amendment Act rects them to be laid before a Secretary of ate, and afterwards submitted to Parliament, y member of which has an opportunity of jecting if he considers them repugnant to the irit of the statute. If their issue were ricted, the Board would be unable to cope with n emergency requiring a decisive measure. The roposal to submit them previous to operation to ch Board of Guardians affected by them is inonsistent with central authority, and would estroy uniformity, one of the leading principles the Act. Sufficient latitude is given by the me statute as they are not in force for 14 days, d within which time they may be questioned.

Mr. *Cane.*—With respect to the first suggestion it may be said that all orders of the Board are now issued and all their proceedings are now taken under the authority of Parliament. Parliament renews the Board's powers (including that of issuing orders), from time to time, and such powers would not be confided to the Board by Parliament if it did not intend that the Board should exercise them, subject to their Parliamentary responsibility.

If the petitioners mean, however, that all general orders should be submitted to and be approved of by resolutions of both Houses of Parliament before they are issued, I can only remark that such a course would be wholly inconsistent with the responsibility which it has hitherto considered ought to devolve upon the Board alone, and would practically operate to preclude them from issuing regulations under urgent circumstances, or from modifying them or assenting to such departure from them in particular instances, and is now found to be essential to the satisfactory administration of the law.

All the principal general regulations now in operation, namely, those relating to the administration of relief, to the management of workhouses, to the apprenticeship of children, to the election of, and the proceedings by guardians, as well as those which relate to the keeping and auditing of accounts, have been issued, subject to "restriction," and have virtually received the sanction of Parliament. Those regulations were issued prior to the constitution of the present Board; and, consequently, they were in accordance with the 16th section of the 4 & 5 Will. IV., cap. 76, submitted to a Secretary of State forty days before their issue, and were subject to a disallowance by the "King in Council," both before as well as after that time. They were also formally submitted to Parliament in accordance with the 17th section of that statute.

On the passing of the 10 & 11 Vict. cap. 109, these restrictions were modified; but even now the general orders of the Board may at any time be disallowed, wholly or in part, by the Privy Council, if they shall think fit to exercise the control entrusted to them.

The proposition that general regulations be submitted to Boards of Guardians, and that they should only become operative with the consent of a majority of the guardians of each union affected by them, is one which could not be entertained by any person practically acquainted with the administration of the law. No regulations, however necessary and salutary have, that I am aware of, escaped opposition of a serious character, and it would be hopeless to expect that any future orders would meet with even an approach to general approbation. If Boards of Guardians acted under such regulations only as those which they chose to assent to, the guardians would virtually make their own regulations. Those regulations would vary in every union, and nothing like uniformity of practice would any longer characterise the proceedings of the guardians and the relief and management of the poor.

Mr. *Lambert.*—The Board have no power to issue general orders except that which had been given to them by Parliament; and it appears to me that a sufficient safeguard against the abuse of that power is provided by the 10 & 11 Vict. c. 109, s. 17, which enables the Queen in

App. No. 2.

Council to disallow any general order made by the Board.

I am not aware that any case has been made out for imposing further restrictions upon the power of the Board, and the proposal to render the orders of the Board inoperative, unless approved of by a majority of each Board of Guardians to be effected by them, would, as regards general orders, render uniformity in the general administration of the law impossible, and, as regards special orders, destroy the power of the Board altogether. At the present time the Board are restricted from ordering the purchase of land, or the expenditure of money beyond a given amount, in building or enlarging workhouses, without the consent of a majority of the guardians. Nor can the Board order the sale of parish property without the consent of the vestry; and it will be within the experience of the Board, that both of these restrictions have often proved serious obstacles to the due and efficient administration of the law.

Proposition 3. That the "Principles on which the Relief of the Poor is to be conducted" be defined by Statute, and that the Administration of Relief, regard being had to those Principles, be in the discretion of the Boards of Guardians.

Observations.

Mr. *Gulson.*—I think it would be very difficult accurately and conclusively to define by statute the principles on which the relief to the poor should be conducted; and as to leaving the administration, subject to such definition, to the discretion of Boards of Guardians, I think uniformity of practice would be at an end, and that such a course would be little better than a return to the old system of Poor Law administration under which so many abuses prevailed, and which the Legislature intended to suspend by the operation of the Poor Law Amendment Act.

There is no security that the discretion of Boards of Guardians would be more free from mistake or abuse than the discretion of parish officers under the old law, when paupers' watches were repaired at the expense of the poor rate (at Wantage), and when a game certificate was provided (from poor rate) for a pauper, as the most economical mode of relieving him (Lincolnshire).

Mr. *Hawley.*—The replies given to the preceding proposition are in most respects applicable to this, in which the object of the petitioners is evidently to annihilate the power of the Poor Law Board in one of its most material functions, and to transfer it to the Legislature, probably with the hope of extracting from that body concessions which the experience of the Board would lead them to refuse. The principles of relief have been already clearly and extensively defined, and have received the sanction of Parliament through the orders of the Board, which have been framed in so liberal and comprehensive a spirit as to leave little to be added to the question of principle. The claim of the petitioners can, therefore, hardly be pointed against the principles which have already been defined and established by law. They have another object in view. The Poor Law Board have from the commencement of this administration taken a firm and immutable stand upon one principle, which is the keystone of the whole law, namely, the withholding relief from able-bodied paupers, and there is no point upon which interested and ignorant persons have raised so much opposition; it is the theme of the malcontent at all the boards, and they are no doubt, through this proposition, preparing a covert attack upon that last bulwark of the law. The discretion in the administration of relief claimed for the guardians by the petitioners in this proposition, may probably have reference to allowances for rent, clothing, articles to set paupers up in trade, travelling expenses, and other matters on which, for weighty reasons, the Board have placed a salutary check, and if the restriction were removed, I fear that serious evils would be the result.

Mr. *Weale.*—I am averse to giving greater discretionary powers to Boards of Guardians than they now possess, for this reason:—It is found by experience that from a near-sighted policy, and with a narrow economy, which does not look beyond particular cases, Boards of Guardians, when left to themselves are induced, in numerous instances, to violate the sound principles which ought to regulate the whole administration of parochial relief. A vicious practice, and irregularity of procedure, is thus admitted, which grows by contagion, and would, unless repressed by a controlling power, do away with anything like system or principle in the relief of the poor, and bring back again the corruptions and evils which the present law was intended to correct.

Sir *John Walsham.*—If it were possible to define precisely by statute the principles on which relief is to be strictly administered, or if such relief, in money and in kind, is in future to be absolutely, instead of, as at present, generally given according to the discretion of a fluctuating body, actuated by what they imagine to be their immediate interest; and if workhouse dietaries are to be absolutely, instead of, as at present, generally regulated by the discretion of the same fluctuating body, all the accumulated experiences and remarkable reasoning of the Poor Law Commissioners of Inquiry upon which the Poor Law Amendment Act rests, must henceforward be completely ignored, and the Poor Law Board reduced to a mere shadow, hardly worth preserving as a public department.

Again, in the majority of my rural unions in Norfolk, Essex, Cambridgeshire, and Suffolk (well governed as those unions are upon the whole), the administration of relief, wholly at the discretion of Boards of Guardians, would lead directly, and as a matter entirely of course, to the administration of relief in aid of the wages of able-bodied labourers, by the admission of one or more children into the workhouse without their parents, or even by ordinary out-relief, in close accordance with the old scale or per head system, whenever and wherever wages were low and families large; with this inevitable accompaniment, that the standard of what should be deemed low wages, and the number of children which should be deemed a large family, would vary in almost every union.

Allowances of clothing to enable the children of able-bodied labourers in employment to go to service, or to keep their services, would likewise be certainly given by the guardians of very many of the eastern counties unions, to all who felt no scruples in applying, regardless of the injustice thereby

hereby done, and the mischievous example set to he numerous industrious labourers of independent spirit, who contrive to get places for their children vithout parochial aid.

The firmness of the Poor Law Board has extinguished in my district the systems of direct relief n aid of able-bodied men's wages, towhich I have ust adverted; and *post hoc*, though I do not go he length of saying *propter hoc*, the poor were never so well off; but take away the power now nown to be vested in and steadily exercised by he Poor Law Board, and both systems would evive immediately, and be extended indefinitely.

Mr. *Pigott.*—I do not think that any change n the existing regulations for the relief of the poor s requisite or desirable.

Mr. *Graves.*—I think that the principles of Poor Law administration are sufficiently laid down in he Poor Law Amendment Act and other statutes. The non-interference of the Poor Law Board with he relief given by the guardians in individual cases appears to me to be an important principle.

Mr. *Doyle.*—This proposal calls for observation. The effect of it would be to give to Boards of Guardians discretion in the administration of relief virtually unrestricted, for the restriction would obviously be merely nominal, that compelled them only to "have regard" to the provision of a statute by which, as it would seem, nothing is to be enacted, and only some general "principles" are to be "defined." The guardians who make this proposal probably mean something different from what the terms convey; but as it stands, it strikes me as being simply absurd.

Mr. *Manwaring.*—If the principles according to which relief is to be administered by guardians are laid down by statute, and if the guardians act according to their own discretion in all cases not so provided for, which I understand to be the proposal, the Board will be superseded altogether as to the management or control of relief. Upon a proposal going at once to the very root of the existence of the Board, it cannot be necessary for me to offer any observations.

Mr. *Farnall.*—Observations on this point are embodied in those which have been made relative to the rules and regulations of the Poor Law Board.

Mr. *Hurst.*—The principles of relief are already defined by 4 & 5 Will. 4, cap. 76, and in conformity therewith the Board have issued orders and regulations. The required report of special cases operates beneficially as a check on indiscriminate relief, and, at the same time, affords a licensed discretion.

Mr. *Cane.*—The principles upon which relief is to be conducted are now defined with great particularity and precision in the general regulations issued by the Board. Such principles could not be more distinctly set forth in an Act of Parliament. It is very questionable, however, whether it is expedient, even if it were practicable, to embody in any statute the principles upon which relief is to be afforded in the various unions in England and Wales. Any clause in a statute leaving a "regard to the principles it embodied to the discretion" of the guardians, would particularly place the whole matter in their hands; the guardians would exercise their discretion differently in every union, and relief would not only be given upon different principles in every union, but those principles would change annually with each annual change in the members of the Board.

Mr. *Lambert.*—When it is suggested that the principles upon which the relief of the poor is to be conducted be defined by statute, I presume it is intended that the prohibitory order and the labour test order, with all their exceptions, shall be embodied in an Act of Parliament; but the prohibitory order is not of universal application, and there are circumstances under which some of the regulations of both orders must occasionally be dispensed with; for this reason, they cannot properly be made the subject of Legislative enactment, and to leave the dispensing power to Boards of Guardians would be, in effect, to abrogate the wholesome provisions of the present orders altogether, and that, especially in periods of pressure from distress, when Boards of Guardians naturally become alarmed, and a test against imposition becomes more especially called for.

PROPOSITION 4. Or, that the Guardians be empowered to give Relief in Money or in Kind, according to their own discretion.

OBSERVATIONS.

Mr. *Gulson.*—As to empowering the guardians to give relief in money or kind, according to their own discretion, about five-sixths of the relief now afforded in my district, is so given under the existing regulations, and I do not consider that the discretion of the guardians in this respect can be safely or usefully enlarged.

Mr. *Hawley.*—I do not believe that any great harm would arise from the guardians having a discretionary power as here proposed. It should, however, be borne in mind, that a proportionate adjustment of these elements of relief was made in order that, on the one hand, heads of families addicted to drunkenness might not leave it in their power to spend in drink the relief allowed to their wives and children; and, on the other, that they might have facilities for purchasing groceries and other articles not furnished in kind. I have observed that the object of the restriction is seldom lost sight of by the guardians in ordinary relief, and I am, therefore, led to believe that they may be safely trusted with the privilege now claimed for them.

[Mr. *Weale*'s remarks on the 3d proposition, apply to this also.]

Sir *John Walsham.*—[*See* remarks on No. 3.]

Mr. *Pigott.*—The guardians have now the discretion of giving relief in money or in kind to all but the able-bodied.

Mr. *Graves.*—I think that the existing general orders of the Poor Law Board do not go too far in limiting the discretion of the guardians with respect to giving relief in money or in kind, but that any further restriction in that direction would be injudicious.

Mr. *Doyle.*—The restriction imposed upon Boards of Guardians in this respect is now very slight, being confined to cases of relief to able-bodied poor that it would, I think, be difficult to give any proof of inconvenience from the operation of it. On the other hand, so great is the advantage of giving a portion of the relief to able-bodied in kind, that in all well-managed unions in my district,

App. No. 2.

trict, the guardians voluntarily adopt the principle even when not compelled to do so by law.

Mr. *Manwaring*.—The consequence of guardians being empowered to give relief in money or kind at their discretion, will very quickly be that there will be no relief in kind. Relief in kind is troublesome to administer, and all the officers concerned in it feel its irksomeness. It is troublesome to the guardians themselves, as it entails upon them contracts, complicated accounts, &c. &c. The importance of relief being given in kind, cannot be too much insisted upon. It is one of the main checks upon imposture, and one of the greatest securities that relief is duly given.

Mr. *Farnall*.—Observations on this point are embodied in those which have been made relative to the rules and regulations of the Poor Law Board.

Mr. *Hurst*.—This proposal would reverse the orders for out-relief, which do not apply to the indigent from infirmity or age, but to able-bodied applicants; further discretion in their behalf could only tend to the very objectionable practice of relief in aid of wages.

Mr. *Cane*.—The preceding remarks on the uncontrolled exercise of "discretion" by guardians apply, in effect, to this proposition also.

The guardians are only now wholly restricted from giving money to paupers who are maintained in workhouses.

Where able-bodied persons are set to work at out-door labour, a part of the relief is to be given in kind. Under other circumstances the guardians can give relief either wholly in money or wholly in kind, and they may change the proportions in any way they please. The guardians are wholly unrestricted in the amount of relief which they please to allow, either in food, clothing, &c., or in money. Any change in this respect, therefore, would enable guardians to pay able-bodied men wholly, instead of partly, in money, and to give money to inmates of workhouses. It seems to be highly inexpedient, for obvious reasons, that guardians should be enabled to give relief to able-bodied men exclusively in money, or that they should have the power to make weekly money allowances to inmates of workhouses, who are maintained and provided for in every way at the expense of the ratepayers.

Mr. *Lambert*.—It is within the discretion of the guardians under the existing law to administer out-door relief either in money or in kind, or partly in both. I apprehend the petitioners do not intend that any relief in workhouses shall be administered in money.

PROPOSITION 5. That the Guardians be empowered to alter at discretion the Dietaries for Workhouses.

OBSERVATIONS.

Mr. *Gulson*.—I am not aware that any inconvenience results from the existing regulations in this respect, and I am of opinion that it would not be safe, in all cases, to intrust Boards of Guardians with the power of altering workhouse dietaries at discretion. At Redruth, for instance, some time since, the health of the children was greatly improved by an altered and increased dietary which was forced upon the guardians by the Poor Law Board.

Mr. *Hawley*.—The question as to whether the guardians should have the sole control over the dietaries is of much moment, and one on which I think the authority of the Poor Law Board should not be lightly surrendered. The guardians generally have not very liberal ideas upon the subject. If a modification of an existing dietary is considered necessary, their suggested alterations genearlly lead to the side of reduction; and the persistency with which some of the Boards opposed the humane proposition of the Poor Law Board to allow a more generous diet to the young children in workhouses is fresh in my recollection. The guardians have already permission to make such temporary alterations in the dietaries as may be rendered necessary by circumstances of emergency, and, beyond that concession, I think it would be unadvisable to increase their authority; certainly not to the unlimited extent demanded by the petitioners.

Mr. *Weale*.—The guardians at the present time, under the General Order dated 16th February 1848, have the power of altering the dietaries for workhouses, subject to the approval of the Poor Law Board. This check is by no means unnecessary in some cases to prevent extravagance, and in others to protect the interests of the pauper.

Sir *John Walsham*. [*See* Remarks on No. 3.]

Mr. *Pigott*.—The power might occasionally lead to an improper limitation of the dietaries, and I see no advantage that could result from it.

Mr. *Graves*.—The dietaries of workhouses at present vary considerably, and the cautious interference of the Poor Law Board has been hitherto highly beneficial in preventing the scandal of allowances, either insufficient or prodigal. It seems to me that the supervision of the Poor Law Board in the matter of dietaries ought not to be abandoned.

Mr. *Doyle*.—If dietary tables were framed by Boards of Guardians great diversity would be found to exist in the workhouses throughout the country. In some of them the dietary would be above, in others below the average scale of the labouring classes of the district. I have never heard any complaint of the exercise of the authority of the Poor Law Board in this matter.

Mr. *Manwaring*.—Guardians contend that they know more of the habits of the poorer classes of their own union than the Board, and that they may consequently be better able to determine the kind of food that suits their workhouse best; that is possible. On the other hand, the Board have a much wider experience upon the subject, and are better able to maintain a uniformity in this respect, which is of the highest importance. It is desirable that there should be in no workhouse either abundance or a deficiency of food. This medium the Commissioners are sometimes enabled to preserve. But, if each Board of Guardians regulate the dietary of its workhouse, the moderate allowances fixed by the Commissioners will be abandoned, sometimes as being too large, and sometimes as too small, according as the guardians are swayed by different views.

Mr. *Farnall*.—It would be unwise to deprive the Poor Law Board of the power which they now have, viz., that of sanctioning and approving of the dietaries in workhouses. It should be remembered that if the guardians of any union deem it expedient

pedient at any time that a change should be de in the nature or quantity of the food speci- l in the order last issued to their union, they re merely to send an accurate statement of the posed alteration to the Poor Law Board, with om rests the sanctioning or approval of such eration. It is sought to deprive the Board of s power, but as the Board can have no erest than that of maintaining a sufficient tary for each workhouse, it is a power which v can only exercise for the benefit of the poor, l they should not therefore abandon it. There be no difficulty in submitting a proper dietary the approval of the Poor Law Board, and there- e the result of abandoning the power which the ard now holds, would offer facilities for guardians introduce improper dietaries; there can be no ubt that the tendency of parochial authority is parsimony, more especially in the rural dis- ts; on the other hand, in commercial districts, ere popularity more frequently animates guar- ns, there is occasionally a tendency to excess; iedium and a uniformity of system, where prac- able in this matter, can be maintained only by regulating power of the Poor Law Board.

Mr. *Hurst*.—As a temporary measure, medical cers appointed by the guardians have full au- rity to change the dietaries in workhouses, to ler a diet for any individual; and, if the change to be permanent, after a discussion of details hout which the broth, porridge, or dumplings ght be deficient in quality, the Board generally ncur with the guardians. I, therefore, consider eration unnecessary.

Mr. *Cane*.—Fixed dietaries are necessary, in ler to insure that each inmate obtains a sufficient antity of proper food, to prevent waste and ir- ularity, and in order that the master may be uired to account for the stores committed to his rge. The sick are subject to no regulations in s respect; they are dieted in exact accordance h the directions of the medical officer.

The medical officer may direct a change in the t of any individual inmate of a workhouse enever he may deem it necessary.

He may also recommend a temporary change the diet of all the inmates of a workhouse, or any class or classes; and, if the guardians prove, they can direct such change to be imme- tely effected.

If a Board of Guardians should, for any reason, of opinion that it is necessary or desirable to ect a permanent change or modification of a tary, it can be altered upon their assigning fficient reasons and making application to the or Law Board.

I do not see that it is requisite to give further cretionary powers to Boards of Guardians, so to place in their hands the sole and entire gulation of the dietaries.

Mr. *Lambert*.—I do not think that the guar- ns should be empowered to alter the dietaries workhouses at their discretion. In many ions the guardians are farmers of a low class, d their first consideration in forming a dietary uld be to render it as inexpensive as possible. seasons when potatoes are dear, they would be cluded altogether, and thus, for want of vege- ble food, the health of the inmates—especially e children—would often be seriously affected. is by no means an uncommon remark by the ardians that the paupers in the workhouse are o much cared for and live too well.

PROPOSITION 6. That Guardians be elected for three years; one-third of the number to go out of office every year, the retiring members being eligible for re-election. App. No. 2.

OBSERVATIONS.

Mr. *Gulson*.—This proposition appears to involve the election of three guardians for each parish in each union, which in most agricultural unions would be highly inconvenient, as the Boards of Guardians, in many cases, are already too numerous.

If it is meant that the total number of guardians are to remain as at present, but that the guardians of one portion of the parishes shall be of one year's standing at the Board, others of two years, and others of three years, I consider such a plan objectionable, because the guardians of some parishes would, then, necessarily be more experienced than the guardians of other parishes in protecting the interests of their constituents, at the expense of the less experienced. Besides which, the chairman and *ex-officio* guardians remain in office from year to year; and practically, as far as my experience goes, I am not aware of any inconvenience resulting from the annual election of the elected guardians.

At the present time, the ratepayers of each parish have the opportunity of continuing their guardian or guardians in office from year to year, if they consider such a course to be for their interests, and annual election affords the opportunity of change when change is considered desirable.

Mr. *Hawley*.—One of the objects of the framers of the Poor Law was to invest it with a popular character, and in none of its provisions is this intention more evident than in those which relate to the election of guardians. The proposition to alter annual to triennial elections, if conceded, might tend to damage its popularity, though I doubt whether public opinion is so jealously alive on that point now as it was at the first introduction of the law; still, any adverse feeling which might arise would be propitiated by the proviso that one-third of the guardians should retire from office annually, and that the retiring guardians should be eligible for re-election. The advantages obtained by the alteration would be the increased experience and knowledge of their duties acquired by the guardians through a longer retention of office, the repression of party feelings and litigation, and a reduction in expense by the less frequent recurrence of contested elections.

Mr. *Weale*.—I do not see any objection to, nor do I see any advantage, in this proposition.

Sir *John Walsham*.—With regard to the seventh proposition, I neither see any great objection to its enactment, nor any practical necessity for the election of guardians for three years, the retiring third being eligible for re-election.

Mr. *Pigott*.—I think the present system of yearly elections, so generally acquiesced in, in all respects better than a triennial election, as suggested, which would be, in fact, *pro tanto*, an abrogation of a right now possessed by rate-payers, and could scarce fail to prove highly unpopular.

Mr. *Graves*.—I do not see any strong objection to this proposal, but I am not acquainted with any instances in which inconvenience has resulted from an annual election. It is principally in towns where local parties are nearly balanced that considerable

App. No. 2.

siderable changes are occasionally made upon the occurrence of a contest.

Mr. *Doyle.*—The character of Boards of Guardians would, I think, be improved by this change, but in large towns and populous districts there would, I think, be gradually felt the pressure of dissatisfaction and out-of-doors agitation, now obviated by the annual election of guardians. A great deal of parochial excitement passes off through that valve.

Mr. *Manwaring.*—Nothing very objectionable strikes me in regard to this proposal, but I see no reason for the proposed change.

Mr. *Farnall.*—The Legislature is asked to interfere with and considerably narrow a popular right, and that without any beneficial result; but, on the contrary, with a result which would tend to bring the Poor Law into odium, because it might be the means of seating objectionable persons as guardians for three years, when it might be very desirable that they should vacate office. On the other hand, efficient guardians are at present eligible for election from year to year, and are frequently re-elected, their tenure of office being found beneficial to society.

Mr. *Hurst.*—The duration of office has not been mooted in my district; except in large towns, the electors are generally apathetic, and on this account an annual election is preferable.

Mr. *Cane.*—A large proportion of the guardians are annually re-elected, and a very considerable number also are, by such re-election, continued in their office for many years when the rate-payers are satisfied with the manner in which they are represented. I do not see, however, why, if the rate-payers should be dissatisfied in any instance, they should not have the power of choosing another person to fill the office of guardian until three years have elapsed. At any rate, this is a question at least as much for the consideration of the rate-payers who elect, as for the guardians who are elected; and, unless the former should be strongly in favour of the change, I do not think that it should be conceded.

Mr. *Lambert.*—The proposition that guardians be elected for three years, one-third to go out of office every year, is probably suggested by a similar arrangement in the election of town councillors; but the number of town councillors representing each ward is always divisible by three, which is not the case with guardians as representing parishes. Agricultural parishes are seldom represented by more than one guardian, and the aggregate number of elected guardians in many unions is not capable of the proposed division. If the object of the suggested alteration be to render the office of guardian more permanent, I may add that under the existing practice a large majority of the outgoing guardians are almost always re-elected.

PROPOSITION 7. That the Power of Appointing and Dismissing all Paid Officers and Servants be vested in the Guardians without the Interference of the Poor Law Board.

OBSERVATIONS.

Mr. *Gulson.*—I consider this would be inexpedient, and tend greatly to lessen the standard of the officers appointed. There would be no security for the observance of the rules and regulations of the Poor Law Board if the officers were to be appointed and dismissed at the discretion of the guardians. All control over the management of the workhouse, and the administration of relief would be taken from the Poor Law Board by the course here proposed.

Mr. *Hawley.*—This is another point which I think it would be highly dangerous to concede to the guardians. As to the election of officers, notwithstanding the controlling power of the Poor Law Board as at present exercised, objectionable appointments are too frequently made, and high qualifications are sacrificed to local interest and favouritism, and were the Board's veto annulled it is to be feared that the most important union offices would be filled to a still greater extent by persons totally unqualified for their duties, and responsible to no tribunal but that of their friends and supporters. In the matter of dismissal, the concession prayed for would operate injuriously to the officers. The order of the Poor Law Board which declares that the appointments of officers shall be permanent while conducting themselves with propriety, is highly appreciated by them, and unquestionably stimulates them to greater energy in the discharge of their duties, gives them an interest in the welfare of the union to which they are attached, and generates a feeling of confidence and security. It is, in fact, their palladium, and if the protection it throws over them were removed their efficiency would be seriously damaged by the consideration that they would be liable to instant dismissal without appeal, whenever caprice, malice, or self-interest might prompt their employers to bring an impeachment against them. Under the present arrangements, the guardians are fully protected from the obligatory retention in office of any exceptionable officer, as an appeal to the Poor Law Board always results in an inquiry through which the guilt or innocence of the accused is fairly proved, he is dealt with upon the merits of the case.

Mr. *Weale.*—Although the Boards of Guardians contain many members of intelligence education, and high feeling, yet it cannot be denied that a large proportion are frequently selected from the lower and less educated class of ratepayers, with whom personal prepossessions and local party feelings have no undue weight It not unfrequently happens that these are amongst the most constant attendants at the Board, and the most active instigators of its proceedings. In the face of these circumstances, it would be impossible to secure the services of active, high minded, and intelligent officers, unless they felt themselves possessed of the security which is given by an appeal, in cases of disagreement, to a court raised far above the petty jealousies and party influences which would, in many cases, be brought to bear upon them by such assemblies as Boards of Guardians frequently are.

Sir *John Walsham.*—With regard to the eighth proposition—that the power of appointing and dismissing all paid officers and servants be vested in the guardians, without the interference of the Poor Law Board—I cannot imagine any alteration more calculated than the claim of the power of dismissal, to impair the effective operation of the Poor Laws. It has the demerit of being at the same time unsound in theory, and uncalled for in practice.

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Let us consider for a moment what a Board of Guardians is, and what the great majority of paid officers were, previously to appointment; premising only that now to petition for power to appoint paid officers, as if that power were not already vested in Boards of Guardians, appears to me to indicate either the greatest ignorance, or the greatest unfairness on the part of the petitioners. I should have imagined that everybody in the last degree conversant with the present administration of the Poor Law, knew perfectly well that Guardians elect whatever candidates they please, and that with such election the Poor Law Board never interfere (confine myself naturally to my own experience), unless their records happen to show, or it is obvious on the face of the return, that the person elected is grossly incompetent, or had formerly been very ill-conducted. In such cases, undoubtedly, it is the rule of the Board to communicate all the circumstances to the guardians interested; but although I recollect several disappointments in respect of which the guardians have requested that the parties chosen might, notwithstanding former equivocal behaviour in other unions, be tried anew in different unions, I cannot recollect that for the last 12 years any instances have occurred in my district, in which the officer so elected was refused the trial so requested.

To revert to the consideration of what a Board of Guardians is, and what paid officers usually are before election—

In a rural district a Board of Guardians is chiefly an association of farmers; in urban unions it is chiefly an association of tradesmen, more or less numerous, and more or less opulent. But it may be safely assumed that, with rare exceptions, the business both of rural and urban unions is conducted by a minority—often a small minority—of the executive body.

When, however, an officer is to be appointed, all the guardians who can attend, invariably do so; and it is very rarely that the bulk of the members attend without having been well canvassed beforehand, and rendered tolerably safe to vote for some particular candidate or candidates, by whom they conceive themselves subsequently bound to stand.

In a rural union, the successful candidate is uncommonly likely to have been a farmer who had not found farming a political speculation; in a town union, the successful condidate would not improbably turn out to have been a tradesman, whose business had not exactly answered his own or his creditors' expectations.

The election over, and a questionable, but strongly-backed candidate turned into an officer, affairs proceed smoothly for awhile; until the working guardians, who at the election had probably been outvoted, begin to hear ugly rumours, and to entertain ugly suspicions which, ultimately, but not always without resistance from the friends of the accused officer, take the unpleasant form of an official enquiry; and, as things cannot be hushed up there, the officer resigns, or is dismissed.

Now, bearing in mind what the nature and scope of a quasi-judicial enquiry by a Poor Law inspector really is, and how onerous even the most experienced inspector often finds it to improvise, as it were, a brief; to examine and cross-examine witnesses upon oath; and to maintain the decorous order due to the occasion, when sometimes clever lawyers and continually excited guardians are opposed one to another; bearing these points in mind, can anyone think it possible that charges, too frequently complicated by contradictory evidence, and generally involving results of serious moment either to the accused persons, or to the interests of the union, will be satisfactorily dealt with by 20, 30, 50, or even, as in Northumberland, 100 farmers and tradesmen unaccustomed to receive and weigh evidence, presided over perhaps by one of themselves, and with their friendly or unfriendly feelings towards the officer, strongly roused.

I therefore hold that the proposition to place the power of dismissing paid officers at the discretion of bodies constituted, and liable to be influenced, as Boards of Guardians are, would be theoretically most unsound, and that practically it would be well nigh superfluous, for the reasons must be strong indeed, and of the rarest occurrence, which would induce the Poor Law Board to persist in compelling the guardians to retain officers in whom, after an official enquiry, they had lost confidence; or in removing officers for whom, after an official enquiry, the guardians had urgently interceded.

Mr. *Pigott*.—I think that this change would be most pernicious; and, amongst other evil tendencies, that it would infallibly result in an inferior class of officers. Moreover, such a change could not reasonably be extended to the medical officers and teachers whose salaries are wholly or in part paid from the Consolidated Fund.

Mr. *Graves*.—If the tenure of office by the superior paid officers were subject to the will of the guardians, I think that the elevated and independent character of officers as a class would be diminished. They would sometimes be induced to court favour by illegal compliances, and would not feel confident of impartial justice in cases where personal feelings were excited. Not seldom the guardians, from mistaken kindness, would overlook gross misconduct. I entirely approve the arrangement which give the appointment of superior officers to the guardians, and vests the power of dismissing them in the Poor Law Board.

Mr. *Doyle*.—No change could be more detrimental to the character of union officers throughout the kingdom. I believe that the only object with which this change is proposed, is to defeat the order by which medical officers hold their appointments, permanently in accordance with a recommendation of a Committee of the House of Commons. Upon this point some of the best officers in my district would be ready to give valuable evidence.

Mr. *Manwaring*.—If the paid officers and servants are to be dismissed by the guardians without the interfereuce of the Board, no officer or servant who thinks it his duty to act in conformity with the orders of the Board, can keep his situation. On the other hand, if paid officers are not to be compelled to observe those orders, there is an end of the authority of the Board. The powers of maintaining paid officers in their situations, or removing them, is of vital importance to the Board; and is one of the chief elements of the influence which enables them to control the administration of the Poor Law. It is also of the last degree of importance to the officers themselves. Unless upheld in the proper discharge of their duties, and supported against the varying views of changing bodies of guardians, respectable persons will not enter the service.

Mr. *Farnall*.—There can be no doubt whatever, that should this power be vested in the guardians

App. No. 2.

a recurrence would speedily take place to the system of requiring tenders for the services of officers, and this would end in a competition of all candidates for office which would turn, not on their respective characters and skill, but on the sum at which they might be severally willing to undertake office. Thus, if an officer was incompetent and could command the votes of a majority of the guardians of his Board, he might most seriously damage the administration of the Poor Laws; and this would occur, not as an isolated case, but with great frequency, for already local influence has a very strong effect on the election of union officers. It is almost impossible to foresee the injurious effects that the proposed alteration would entail on society; the principles of the Poor Law Amendment Act would assuredly be set at defiance, and the amount of peculation, favoritism, and private feeling which would be brought into play would become intolerable. There is no difficulty in abandoning a good system, but the difficulty of eradicating a vicious system is enormous, and nothing could more plainly indicate this than the almost overwhelming obstacles which were, in the first instance, thrown in the way of Ministers when they determined to introduce the Poor Law Amendment Act. It is almost needless to say that this proposal, if realised, would wholly destroy the protection at present enjoyed by union officers, and which every one of them estimate at its real value. There would no doubt have been a movement on their part, if they were not fully satisfied that the Legislature is not prepared to place parochial authority above the central authority now vested in the Poor Law Board.

Mr. *Hurst.*—This proposition would entail at every election of guardians party and personal animosity. If the power to appoint and dismiss were vested in the guardians, each new Board, where party opinion is strong, would on the slightest pretence remove the officers, however competent, and supply their places with their own friends, however incompetent. Such a practice must be detrimental both to ratepayers and paupers.

Mr. *Cane.*—The Poor Law Board, in their regulations, merely set forth the office, require certain qualifications for it, and prescribe the duties which are to be performed by officers.

The selection of the individual who is to be the officer is entirely in the hands of the guardians, and, subject to the general qualifications, they have the widest discretion, and may absolutely appoint anybody they please. It is rarely that the appointments are interfered with by the Board, and they only do so on strong grounds and for reasons which they always explain, and which, when explained, are seldom unsatisfactory to the guardians.

The guardians can, with the exception of their clerk, suspend any officer in their employ, and call for an enquiry into his conduct. If, on enquiry, the officer is shown to have deserved dismissal, he is dismissed or required to resign. In exercising this power, the Board always pay due regard to the wishes and representations of the guardians, and any difference of opinion between the Board and the guardians upon a question of dismissal is of comparatively rare occurrence.

The guardians already have absolute power of dismissing all officers under a certain grade, and they can also dismiss all assistants, officers, and servants without any reference to the Poor Law Board.

Unless the Board were entrusted with some general powers for directing the appointment of officers, there would be no uniform classes of officers, nor any uniform standard of qualifications.

Unless the Board had the power to dismiss officers, incompetent, infirm, or dishonest persons who had local interest and connexions would sometimes remain in office to the prejudice of the public service; whilst dismissals, if entrusted exclusively to the guardians, would take place for dissimilar offences in different unions, and would even at times be affected by political or sectarian opinions.

Mr. *Lambert.*—It appears to be quite impossible to invest the guardians with the absolute power of appointing and dismissing the principal union officers without immediately undermining and ultimately destroying the efficiency of the present system of Poor Law administration, which depends mainly upon the character and qualifications of those who are immediately connected with it.

The question in regard to medical officers has been virtually determined by the Parliamentary Committee of 1854, who considered the necessity of rendering them independent of the guardians so urgent, that the Board, adopting the recommendation of the Committee, afterwards issued the order of February 1855, directing that the appointment of medical officers shall be for life. To give the guardians the proposed power of dismissal would be in effect to abrogate this order, and to remit the medical officers to their former state of dependence upon the guardians.

My own impression is, that it is chiefly with regard to the appointment and dismissal of medical officers that the guardians are desirous of obtaining more power, as they constantly complain of the liberal manner in which the district medical officers give their orders for medical necessaries, such as meal, wine, and porter.

With regard to the other officers, such as the clerk, the relieving officer, the master and matron, and the schoolmaster and schoolmistress, those who have had any personal experience in investigating complaints against union officers, know very well that in the majority of cases the feelings, whether personal, private, or political, which, on such occasions, exercise an influence upon Boards of Guardians, are such as to preclude them from exercising a dispassionate judgment upon the facts which might be brought before them.

The officer, rarely chosen without a contest, finds that from the day of his election he has both partisans and opponents to deal with, and it is impossible for him, in his subsequent relations with the guardians, to avoid giving occasional offence. All the good officers in my district know this perfectly well, and many of them have frequently assured me, that but for the protection and impartiality of the central authority, they would not consent to hold their appointments for a single hour.

In forwarding to me a copy of a petition presented by the guardians of one of the unions in my district against the existing powers of the Poor Law Board, the clerk has appended the following note to his letter:—

"Private.—The officers respectfully disagree that the guardians should be invested with greater power, appointing their own officers, and dismissing

missing them, upon just cause, without the interference or control of the Poor Law Board, especially the dismissal."

No officer could hope to hold his appointment permanently under a fluctuating body, such as a Board of Guardians, and if it rested with them to fix the salaries, they would rarely be sufficient to secure the services of efficient officers.

I am so strongly impressed with the importance of maintaining union officers upon their present footing, that I do not hesitate to state that the proposed transfer of the power of dismissal to the guardians would so far weaken the central authority as to render it almost useless.

Proposition 8. As regards District Auditors—

(1.) That appeals against surcharges be transferred to or extended to—

The Court of Queen's Bench,
County Courts,
Quarter Sessions, or
Petty Sessions.

(2. That discretionary power be given to the Auditors to allow expenditure for which there is no statutory authority.

Observations.

Mr. *Gulson.*—(1.) It appears to me that the course here proposed would be productive of complication, without any improvement, and would be destructive of all uniformity of practice. I am not aware of any inconvenience having resulted from the existing state of the law as regards appeals against surcharges of auditors.

(2.) At the present time the Poor Law Board have power to allow expenditure for which there is no statutory authority, and I consider that this power cannot safely be extended to other authority.

To invest the auditors with such power appears to me to be quite inconsistent with the present mode of electing them, and such a course would certainly be destructive of that uniformity of practice which prevails, whilst the power is in the hands of the Poor Law Board alone.

Mr. *Hawley*—The object of the petitioners in desiring to remove appeals against surcharges made by the auditors from the Poor Law Board, and to transfer them to some other court, is not very apparent. The just and at the same time lenient spirit in which those appeals have always been determined by the Board, leaves no reason for supposing that they (the petitioners) have been actuated by a feeling of dissatisfaction with their awards; and it can only be supposed that the real cause from which their wish for the alteration proceeds is that general aversion to central control with which all these petitioners are tinged. It appears that nothing would be gained by the change but increased expenditure to the ratepayers, and regret to the appellants, that matters had not been allowed to remain as they were. If other courts are to be substituted for that of the Poor Law Board, they should by no means be those of quarter or petty sessions, as *ex-officio* guardians, in their capacity of justices of the peace, might in such case sit in judgment on their own acts. There is much inconsistency in the terms of this proposition. In the first, the petitioners would carry their appeals before one of the highest courts of judicature in the kingdom; and, in the second, they would delegate to a local officer the authority of allowing, at his own discretion, expenses incurred for acts done in contravention of the law, or which the Legislature had not considered it expedient to charge upon the parish funds—a power of too dangerous a nature to be trusted to an individual.

Mr. *Weale.*—(1.) I think it highly objectionable that the appeal should be extended beyond the courts at Westminster and the Poor Law Board. The effect of further extension would be that conflicting decisions would be given by the different tribunals referred to.

(2.) The second suggestion is manifestly absurd, as it would place in the hands of an inferior officer a power which is, very properly, not given to the Central Board, and would thereby render him independent of all control.

Sir *John Walsham.*—With regard to the ninth proposition, respecting district auditors, I apprehend no bad effect from the extension of appeals against surcharges to the Court of Queen's Bench, though it appears to me very needless; but I should consider the transference or extension of those appeals to county courts, quarter sessions, or petty sessions, very objectionable, as being calculated to promote litigation, and to lower the position, by circumscribing the powers of the auditors. On the other hand, to emancipate the auditors from the requirements of statutory authority, seems to me quite inadmissible. Were I a district auditor, I should esteem it a personal calamity to be left at liberty to allow illegal expenditure at my own discretion.

Mr. *Pigott.*—As regards district auditors, I am of opinion that an extension of the power of appeal would lead to litigation and needless outlay, to the prejudice of the public. I do not think that appeals against surcharges could be properly transferred to courts of quarter sessions, or of petty sessions, where the judges, especially in the latter, may often be parties interested in the appeal; and I am strongly of opinion that the power to allow expenditure for which there is no legal authority, cannot be safely entrusted to any subordinate officer.

Mr. *Graves.*—I see no reason for a change of law in this respect, and think that speculative appeals to authorities not habitually conversant with the details of Poor Law expenditure, would lead to undue laxity, and be productive of inconsistent decisions.

(2.) This proposition I look upon as wholly inadmissable. It is a great protection to the auditor to be bound by impersonal rules of law. The obloquy which at present often attends the conscientious discharge of his duty would be much aggravated, if disallowances and surcharges appeared to rest upon an arbitrary discretion.

Mr. *Doyle.*—Whatever may be the objections to the present system of auditing accounts, and of disposing of the reports of the auditor, the suggestions here offered are certainly not calculated to obviate them. The mode of appeal suggested would be more tedious than the present mode need be, while it would be much more expensive. By clerks to unions, who happen to be also solicitors, it will, I dare say, be warmly supported. To leave to the discretion of the auditor the passing of illegal items, would be virtually to give that officer a controlling power over the whole administration of the law.

App. No. 2.

Mr. *Manwaring*.—(1.) I see no objection to the appeal against auditor's decisions being made to the Court of Queen's Bench, but I think to extend the appeal to county courts, quarter sessions, or petty sessions objectionable, as those tribunals participate more or less in local feelings and prejudices against central authority.

(2.) To give the auditor a general power to allow expenditure for which there is no statutory authority, is virtually to place at his discretion the expenditure of the poor's rates. Such a proposal is not arguable. A different proposition may be worthy of consideration, viz., to authorise that officer to allow certain kinds of expenditure which he cannot now do. For example, certain petty expenditure by guardians not exceeding a fixed sum per annum, provided it is *bonâ fide* spent about given objects. I am not, however, favourable to any such scheme; and I mention the matter merely because it is plausible, and may be put forward for consideration in some Parliamentary discussion or Committee next session.

Mr. *Farnall*.—The office of auditor would become useless if either of these suggestions were literally acted upon, and as the office of an auditor is one of great importance (and its importance is proved by the suggestions now made), no other advice can be wholesomely offered to the Poor Law Board than that of maintaining the office in their strict integrity.

Mr. *Hurst*—(1.) Appeals against surcharges may now be made to the Queen's Bench, but I prefer the tribunal of the Board to the Queen's Bench, county courts, quarter or petty sessions; it is speedy and inexpensive, with an equitable jurisdiction, and whatever change may be made for these reasons will constantly be resorted to.

(2.) I disapprove of any discretionary power being given to an auditor to allow expenditure unless the same be legal.

Mr. *Cane*—(1.) A provision already exists under which any person aggrieved by an allowance, disallowance, or surcharge by an auditor, may appeal on legal grounds to the Court of Queen's Bench. I presume that the petitioners desire that an appeal may be made to this court, as well as to the others named, against auditors' decisions, and that such courts shall be enabled to set aside such decisions upon "equitable considerations."

I am not aware of any objection to appeals, on such grounds, being entertained by the Court of Queen's Bench, except the delay which would arise, and the expense which would be incurred, an expense which would often far exceed the amount of the surcharge, and which is now wholly avoided by those who appeal to the Poor Law Board; but I should greatly object to such appeals being entertained either by county courts, or courts of quarter sessions, or petty sessions. Irrespectively of the diversity of practice which would unavoidably arise, and the existence of local feelings, which would certainly affect the views and decisions of those to whom the appeal was made, the justices acting in sessions are *ex-officio* members of Boards of Guardians, and may therefore have to hear and determine questions affecting themselves as ratepayers, and even questions affecting themselves more seriously as persons upon whom the surcharge is made. Moreover, the office of clerk to the justices is often held by the clerks to the unions.

(2.) Boards of Guardians, under the law as it at present exists, can now by the following means obtain a legal sanction to a payment which cannot be supported by direct statutory authority. If an auditor disallows such a payment, the guardians may appeal to the Poor Law Board for redress. If the Board consider that the expenditure disallowed took place "under such circumstances as make it fair and equitable that the disallowance should be remitted," the Board may remit the same, and the expenditure of the guardians would thus be authorised and confirmed.

Such a proceeding, however, does not extend beyond the particular payment to which it relates, and gives no legal sanction to the continuance of a similar expenditure by the guardians, however expedient and necessary it may be for them to make it. All that the guardians can do is either to abstain from these payments entirely for the future, and endure whatever difficulty and embarrassment may arise in consequence, or they can again make the payment, and upon a disallowance repeat their appeal to the Poor Law Board. This is a proceeding which is certain to entail trouble and cause delay. Its result is rarely in other respects satisfactory to the guardians, and as they consider, with more or less reason, that there are various kinds of petty disbursements, which, although not supported by any statute, are absolutely necessary for the efficient and convenient administration of relief, and, as moreover, they find that when an audit is strictly conducted (as it should be), such payments are struck out by the auditor, it causes one no surprise that the guardians should seek some relief from what they consider to be an irritating grievance.

There are certain expenses which are not, that I am aware of, directly authorised by law, and yet which are either so absolutely requisite, or so highly conducive to convenience, that they are rarely objected to by an auditor, such, for example, as the cost of printing, stationary, coals for the guardians' use when sitting as a Board, law books, official circulars, &c.

There are other expenses, scarcely, if at all less requisite, which are constantly (and in the absence of authority, properly) struck out by some auditors, whilst other auditors invariably allow them.

I would specify—

The travelling expenses of candidates at the election of an officer.

The expenses of guardians when they have to visit some distant school or establishment.

Similar costs incurred by managers of district schools.

The expenses incurred by officers in attending at the meeting of the guardians, and expenses incurred by them for the carriage of union books to be submitted to the guardians, and examined weekly by their clerk.

The rent of stations at which the poor may be relieved, &c.

I do not think that the proper remedy for this is to invest each auditor with discretionary power to allow any expenditure for which there may be no statutory authority. The delegation of such a discretion would be inconsistent with the entire character of the auditor's office, and seems to be open to very serious and obvious objections on other grounds.

I should greatly prefer that direct legal authority should be obtained for such necessary expenditure as may not now be legally authorised, either by

by particularising such expenditure, or by authorising the guardians in general terms to incur such expenditure for general purposes as may, in the opinion of the Poor Law Board, be reasonable and necessary for the due execution of the guardians, and for the efficient administration of the law.

Certain current expenses can now only be paid by Boards of Guardians, subject to the approval of the Poor Law Board (7 & 8 Vict. c. 101, s. 59), and no new precedent would therefore be set by the provision suggested.

I am aware that possibly a difference of opinion might arise between the guardians and the Board on the question of the necessity and on the reasonableness of expenditure; but, I apprehend, that the disadvantages of such a difference would practicably be far less than those now caused by a necessarily tedious and often-irritating correspondence upon a disallowance by an auditor, and on the consequent appeals to the Board. Such a provision as that suggested would facilitate the proceedings of the auditor; it would remove a perpetual source of vexation and annoyance to guardians, and would lessen in no inconsiderable degree the work in the office of the Poor Law Board.

Mr. *Lambert.*—As regards the appeals against surcharges, I believe (1) that, under the existing law, parties aggrieved have power of bringing the case before the Queen's Bench—a course, however, which is very rarely resorted to. The transfer or extension of appeals to the county courts or to the sessions would not only burden the parties with a very considerable expense, but entirely destroy that uniformity in practice and decisions which results from the power at present confided to the Poor Law Board.

(2.) The proposal to invest auditors with a discretionary power to sanction unauthorised expenditure would destroy one of the chief objects of the audit itself; and, having regard to the mode in which the auditors are now appointed, would lead to every species of jobbery and favouritism.

Appendix, No. 3.

POOR LAW AUDITS.

LETTER from Mr. *T. K. Roberts* and Mr. *R. A. White*, District Auditors, to the Right Honourable *C. P. Villiers*, M.P., President of the Poor Law Board.

App. No. 3.

Sir,

Considering the importance of the office we have the honour to hold, and the deficiencies of the existing arrangements in regard to its execution, we, the undersigned district auditors, request the favour of your consideration of several points upon which we believe improvements may be made calculated to induce the efficient discharge of the duties of the office; and we would request you to exert your influence to introduce the suggested improvements to the notice of the Select Committee of the House of Commons appointed to inquire into the administration of the relief of the poor.

We observed with some regret the evidence of Mr. Cane, Poor Law Inspector, before the Select Committee, especially on the questions Nos. 3490 to 3496, by which we fear an impression may have been made upon the Committee that the present body of auditors are, as a class, inefficient and negligent; and we would gladly assist in any way we can to remove that impression. We do not wish to question the correctness of Mr. Cane's evidence on this point, but, admitting there is too much ground for it, we do not see that the proposals made by Mr. Cane are sufficient to secure greater efficiency in future.

Mr. Cane's first proposal was to transfer the appointment of auditors from the country authorities to the Poor Law Board. It is, however, manifest that in whatever power the appointment may be vested, it cannot of itself be a sure guarantee of auditors being perfectly competent and effective of their continuing so, or of their not being unduly influenced.

It is not, in our opinion, the original appointment; it is the supervision required which will keep auditors right.

The great change, therefore, which we propose is the appointment of an audit inspector, whose duty shall be to visit every district, to observe the conducting of the audits, and to this some of the proposals suggested by Mr. Cane should be added. We agree with him that the existing districts are too small and too numerous, and think the country might be divided into 24 audit districts. We also agree with the reasons given by Mr. Cane, in his answer to question No. 3610, for the appointment of a clerk to every auditor, and we think that all the travelling expenses should be reimbursed to the auditor, and not a part only, as at present.

From our own experience it appears to us that auditing is a labour of peculiar and constant stress upon all the mental powers; that there are very few men indeed thoroughly competent who would consent to even, if they could, physically undergo a labour of that nature without some intermission, and that auditors ought thoroughly to understand the system of account keeping, to possess considerable legal knowledge and extensive experience in general affairs, and above all ought to be men of integrity and independence. Such men cannot be obtained, or at least retained, unless they have adequate remuneration and acknowledged status in accordance with the high responsibilities of their office; in which they have to deal with cases and adjudicate upon questions of not less importance than those of county court judges, and far exceeding the duties of county court treasurers, who are also the county court auditors. And with this we think that the system of visitation by the audit inspector which we propose, and the reduction of the number of the districts, will encourage the energetic, stimulate the negligent, and weed away the worthless, and before long establish an efficient body of auditors acting on a more uniform system, and with greater confidence than is possible at present. Respect being thus secured to their decisions, the Poor Law Board will consequently be relieved of much of the irritation now arising from the audit department, and the whole system will work more harmoniously than hitherto.

With these views we beg to offer the suggestions in the accompanying paper.

It may be found on re-forming the districts that there should be a graduated scale of payment instead of that which we propose, but wishing not to complicate our suggestions with a variety of details, we venture to submit the accompanying scale as a fair general average.

We beg to add that we should be glad to be permitted to give evidence before the Select Committee on the above matters if it be possible, or that these views may be submitted in writing to the Committee; and at all events we shall be happy to wait upon you personally on the subject if you will allow us to do so.

We have, &c.

Tho. K. Roberts.
Robt. A. White.

To the Right Honourable
C. P. Villiers, M.P.,
President of the Poor Law Board.

Note.—This letter, which is without date, was received by Mr. Villiers on the — February 1864.

GESTIONS proposed for the Amendment of the Law relating to Poor Law Auditors, and referred to in the foregoing Letter. App. No. 3.

. THE country to be divided into 24 districts, e defined now, but not to take full effect until existing number of auditors is reduced to 24. anwhile, every audit district, as it becomes nt, to be temporarily apportioned as the Poor Board thinks best.

. Auditors to be subject to periodical visita- of audit inspector during the audits.

. An audit inspector to be appointed or to be gned from the existing number of inspectors this duty.

he power of dismissal to remain, as at present, ly with the Poor Law Board.

. Clerk to be provided.

. All travelling expenses to be paid.

6. The pay to be to the auditor £. 700 a year.
Clerk - - - - 150 „
Travelling expenses - - 150 „
£. 1,000 „

7. Auditors being paid from the Civil Service Fund to be entitled to the same retiring allowances as other Civil Service officers on resignation from ill health or advanced age.

8. Every certificate of disallowance or surcharge to be registered by the auditor's clerk in a book to be verified by the signature of the auditor, such entry to be received as evidence as well of the audit having been held as of the certificate having been then and there made.

MEMORANDUM of Mr. *R. B. Cane*, Poor Law Inspector, on the foregoing Letter.

T was not without reluctance that I gave any dence before the Committee, the effect of which to cast a doubt upon the value of the existing tem of audit, and to lead to the inference t some of the auditors did not possess all the uisite qualifications for the efficient discharge their onerous duties.

What the writers of this letter "fear," namely, t "an impression may have been made upon Committee, that the present body of auditors e as a class inefficient," was to a certain ex- t precisely the effect I wished to produce, and have succeeded in producing it, my further erience, arising out of a change of duty, will no means allow me to regret that result, or attempt to modify the purport of my evidence the least degree.

I do not understand, however, how the writers, ilst they express this "fear," and would gladly assist in any way to remove" the im- ssion of which they are so apprehensive, can the same time assure the President, that "they not wish to question the correctness of Mr. ne's evidence on this point." Nor do I see how y can consistently admit "there is too much und for it" (the complaint of inefficiency), ilst they profess a desire to withdraw its exist- e from the cognizance of the Committee.

In the first part of their letter they apparently rge me with saying, on insufficient grounds, t there are "inefficient and negligent auditors," in effect deny the truth of that statement. ey then at once admit that there are grounds the alleged statement, and that it is well- nded, by questioning my remedy and sug- ting one of their own. They even go further n this, and in a subsequent part of their letter nt to some of the auditors as "worthless," a m which I myself have not ventured to apply any of them.

Admitting then as they do that there are nefficient and negligent" auditors, they would in the source from whence such auditors are plied, namely, their election by persons who derstand so little of the work that an auditor to do that they are really unable to decide at are the necessary qualifications, or to dis- guish and appreciate them if a candidate should nce to have them.

The popular election of auditors has confessedly ed, and it is clearly admitted by the writers of this letter, that such a mode of election has not secured a body of thoroughly efficient officers. I still see no other remedy for this failure than the change in the mode of appointing them, which I have advocated. This, however, is not the view of the writers of this letter; they would adhere to the system under which inefficient auditors have been supplied, and trust to "supervision" as the remedy.

Supervision has long existed, and still exists. The very remedy now recommended has been practically tried, and although it has led to many valuable results, it has never effected, what indeed it never was expected to effect, namely, the conversion of a naturally incompetent auditor into a good one.

But the supervision henceforth to be kept up is to be of a somewhat different kind. The Audit Inspector is to visit the district of each auditor, and by some process not yet described is to "encourage the energetic, stimulate the negligent, weed away the worthless," and finally thus to establish an efficient body of auditors, and render everybody satisfied with the decisions of the Poor Law Board. I feel no confidence that such highly desirable results will follow the supervision which the writers of this letter wish to set up. Even if there were a prospect of thus effecting so marvellous a change by such peculiar means, I should prefer the immediate and direct remedy to the prolonged and lingering cure; I would avoid the election of manifestly incompetent persons, and thus avert the necessity for the supervision which it is proposed to establish over them, and which, if I understand the proposition rightly, is to correct the faulty choice of the electors.

To the other suggestions I have little objection to offer. The desired increase of pay and the provision of superannuation is not a singular wish on the part of public officers.

The reduction of the number of districts, the provision of a clerk, &c., are recommendations of my own, and I have nothing more to say respecting them; but I will add, in conclusion, that as two auditors only out of the entire number of 49 have yet objected to any part of my evidence (that I am aware of), it may be assumed that what I have said is not repugnant to the large majority of those officers.

23 February 1864. *R. B. C.*

App. No. 3.

SUGGESTIONS of Mr. *T. K. Roberts*, District Auditor, with reference to the proposal for extending t Audit Districts, and for securing a more thorough supervision of the Audit of Poor Law Accoun with a graduated scale of remuneration to District Auditors and their Clerks.

1. That the 49 Audit Districts, as at present constituted, be reduced in number, in conformity with suggestion No. 5, made by Mr. Cane, the Poor Law Inspector, to the Select Committee on Poor Relief, as soon as circumstances may enable the Poor Law Board to do so; the districts so extended will afford full employment for the auditors, with a clerk to assist each of them.

If the total number of Unions, viz. 662, were formed into 24 districts, they would average $27\frac{14}{24}$ to each district.

Proposed Graduated Scale of Remuneration.

	£.	£.
AUDITORS:		
Class A. - - 8 at 700 *l.* - - - -	5,600	
Class B. - - 8 „ 600 *l.* - - - -	4,800	
Class C. - - 8 „ 500 *l.* - - - -	4,000	
The salaries of 24 Auditors would be - - £.		14,400
CLERKS:		
Class A. - - 8 at 150 *l.* - - - -	1,200	
Class B. - - 8 „ 125 *l.* - - - -	1,000	
Class C. - - 8 „ 100 *l.* - - - -	800	
The salaries of 24 Clerks would be - - - £.		3,000
ESTIMATE OF EXPENSE:		
24 Auditors with 24 Clerks, and a per diem allowance while on duty, with the actual cost of conveyance, and including advertising, postages, &c., say 150 *l.* each district, would be - - - - -		3,600
		21,000
The cost in respect to 49 Auditors for the year 1863–64		17,100
Increase thus - - - £.		3,900

2. That with respect to Mr. Cane's suggesti No. 5, it would be highly objectionable for au tors previously to inspect or interfere with boo and accounts with which they are afterwards deal and adjudicate upon at a public audit.

3. That an audit inspector appointed, or rath assigned from the present number of inspecto shall periodically visit every district, and obser the conduct of the audits.

It is assumed that the graduated scale of rem neration, as above, and forming the auditors wi their clerks into three classes, will give the Po Law Board the facility indicated by suggestio Nos. 6 and 7, made by Mr. Cane, with respect the occasional transfer of the auditors' servic from one district into another, and it is believ that giving the auditors a proper status will r eventually, or at least materially, increase the c of the establishment.

Thomas K. Roberts.

2 March 1864.

SUGGESTIONS by Mr. *Robert Azlack White*, District Auditor, for the Amendment of the Law relati to the Audit of Poor Law Accounts.

(1). Union clerks to be accounting officers, to account for and produce vouchers for the application of all cheques drawn on the treasurer.

(2). Rates to be allowed by justices in Petty Sessions only, and their clerks to see that every rate corresponds with the Valuation List in force before allowing same.

(3). Clerk to justices to make a half yearly return to the District Auditor, of the rates allowed, showing the date of the rate, its amount in the pound, and the total sum which the rate will produce.

(4). A penalty to be inflicted on every parish officer who shall collect, or allow to be collected, any rate not made according to law.

(5). Interest allowed by bankers of overseers, or by union treasurers, to be accounted for at the audit. Commission to be charged, and in ca any sudden pressure should occasion a tempora advance by a banker or treasurer, interest to charged on the sum advanced; provided the tot commission and interest charged by the banker treasurer in any year, does not exceed the amou of interest allowed by him.

(6). Appeals against allowances, disallowance and surcharges, made by auditors, not to received after six months.

(7). Surcharges and disallowances to be remitte or sustained by a letter instead of by an order.

Robt. A. White,
Auditor of the Lincolnshire and
Rutlandshire Audit District.

3 March 1864.

App. No. 3.

Suggestions by Mr. *William Roberts*, District Auditor, for Amendments of, or Alterations in, the Poor Laws.

. In cases of parishes united for the purpose of
ng under Section 34 of 4 & 5 Will. 4, c. 67,
Guardians of the Poor should be authorised,
ler their common seal, to make the rates with-
any allowance by justices.

. The provision of 54 Geo. 3, c. 170, s. 11,
horising the discharge of poor persons from pay-
nt of poor's rates, should be confided to Boards
Guardians, under their seal, in lieu of justices.

. There require to be enacted proper pro-
ons in reference to the auditing of borough
l county rates, in cases of parishes partly within
l partly without municipal boroughs, and for
hearing of appeals against disallowances and
charges. Provision is also required for the
enses of making and collecting these county
es.

. All expenses of and in reference to con-
bles should be transferred from the poor rates
the county rates or borough fund, as the case
y be.

. Costs mentioned or referred to in 7 & 8 Vict.
101, s. 59, should be ordered by enactment to
charged to the common fund.

. The fees of justices' clerks relating to the
pointment of overseers, the allowance of jury
s, and the notice of special sessions for hearing
r rate appeals, should be rendered uniform.

. Instead of a separate notice from the clerk
the justices of each special sessions for hearing
r rate appeals, one notice of the fixing of such
sions shall annually be given to the overseers;
l the latter, in giving notice of the making of a
e, shall give notice of the day fixed for hearing
peals against such rate.

. The fees paid to clergymen for certified
ies of marriages, and also the fees for register-
; births and deaths in workhouses, should be
rged upon the common fund.

. Limitations by Local Acts of the rating or
d taken for the making of canals and other
al works should be repealed; and for this pur-
se it is suggested that the Poor Law Board
uld be directed to make inquiries into each of
se cases, and then, by provisional orders, re-
al the existing exemptions: such orders to be
ject to the confirmation of Parliament, as in the
es of orders made by the Enclosure Commis-
ners and by the Local Government Act Board.

. The receipt and payment book of overseers
uld be declared by enactment to be the pro-
rty of overseers for the time being, and over-
rs going out of office should be compelled to
nd over such book to their successors in office,
d such successor should produce such book at
e next audit as well as the ratebook audited at
e preceding audit.

. Rates or other moneys received by over-
rs or other officers during their tenure of office
d not accounted for, should be recoverable at
y time within six years.

. The Poor Law Board should have power
prescribe that the collectors appointed under
e orders issued under Section 62 of the 7th & 8th Vict. c. 101, shall discharge all the duties of an overseer of the poor.

13. Relieving officers should be charged within their respective districts with the collection of moneys due from paupers where relief charged to the common fund has been given on loan, and from relatives of paupers money given as relief and charged to the common fund where there are such relatives of paupers liable to pay for their maintenance.

14. The recovery of surcharges and disallowances shall be recoverable in the County Courts as well as before Justices in Petty Sessions, and in cases where there have been appeals to the Poor Law Board a copy of the order of the Board under their seal, and a certificate of the treasurer of non-payment of the amount not remitted should, in such courts, be the only evidence required. In cases where there have not been appeals the production of the auditor's certificate, or legal secondary evidence of same, and in the case of a person to whom no notice of the audit has been given, proof of sending by post, to the guardian or other person surcharged, a notice of the making of such surcharge, and of the lapse of seven days after such sending, and the treasurer's certificate of nonpayment, shall be the only evidence required.

15. Guardians should be authorised to pay travelling expenses of candidates whom they may request to attend their meeting on election of an officer.

16. Interest upon poor's rates deposited with a banker should be legally accounted for.

17. Relieving officers should be compelled, under a penalty, to report to the guardians at their next meeting the dates of the deaths of paupers within their respective districts, and obtain the signature of the presiding chairman (not chairman of a relief committee) to such report, with the date of such signature.

18. Personal representatives of deceased officers should be rendered liable to account to the auditor so far as the deceased has left assets.

19. Guardians should be enabled to serve calls upon the overseers through the post.

20. Horses and vans kept by guardians, dwelling-houses inhabited by masters of workhouses, and receipts given by poor law officers for moneys paid to them, should be exempted from taxation.

21. Oath: The auditor should have power to administer an oath, as is already given by the Irish Poor Law Act, 1 & 2 Vict. c. 56, s. 94.

22. Power is required to be vested in Justices in Petty Sessions to amend a poor's rate where property has been omitted from the rate.

23. When reasons of an auditor are not sufficiently stated, the Court of Queen's Bench, or the Poor Law Board, should have power to return the book to him for further explanation or for an additional reason.

24. Penalties for non-attendance at audits require to be increased and rendered certain.

LINCOLNSHIRE AND RUTLANDSHIRE AUDIT DISTRICT.

NUMBER and NAMES of UNIONS in the District; Number of Parishes; Number of Disallowances and Surcharges made by the District Auditor, during the Years 1861 to 1863 inclusive; with the Number and Amount of such Disallowances and Surcharges not Appealed against but acquiesced in, and paid over to the Treasurers of the Guardians, or otherwise duly accounted for; and the Number and Amount Appealed against; and the Decision of the Poor Law Board on these Appeals, in so far as they are determined.

Number.	NAMES of the UNIONS.	Number of Parishes in each Union.	Number of Disallowances and Surcharges during the Years 1861 to 1863.	Number not Appealed against but acquiesced in, and paid to the Treasurer of the Guardians, or otherwise duly accounted for.	Number Appealed against.	Number Remitted.	Number Reversed.	Number Confirmed and not Remitted.	Number Appealed against, and still Pending.	Sums Paid to the Treasurers, or otherwise duly accounted for.	Sums Remitted.	Sums Reversed.	Sums Appealed against, but which are still Pending.	Sums Surcharged but lost by Defalcation.
										£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1	Boston	42	39	38	1	1	–	–	–	72 2 5	13 10 –	—	—	—
2	Bourn	37	44	42	2	1	–	–	1	105 19 6	1 5 7	–	1 13 4	—
3	Caistor	76	61	60	1	–	–	1	–	217 19 3	–	–	–	*204 4 1¼
4	East Retford	50	48	46	2	2	–	–	–	129 7 8¾	15 – –	—	—	—
5	Gainsborough	50	67	67	–	–	–	–	–	46 7 –¾	—	—	—	—
6	Glanford Brigg	54	61	60	1	1	–	–	–	364 8 4⅓	11 5 –	—	—	—
7	Grantham	53	47	41	6	5	–	–	1	276 19 8¼	81 15 11	–	59 9 11	†728 19 3
8	Holbeach	10	7	5	2	1	–	–	1	13 1 1¾	27 – –	–	40 – –	—
9	Horncastle	69	46	45	1	1	–	–	–	82 19 11¾	4 1 –	—	—	—
10	Lincoln	97	88	85	3	2	–	–	1	343 3 1	9 5 2	–	1 16 –	—
11	Louth	90	57	50	7	5	–	–	2	50 9 5	34 8 2	–	45 19 3	—
12	Newark	51	37	26	11	2	–	–	9	120 2 7¾	3 17 11	–	8 2 11	—
13	Oakham	31	18	17	1	1	–	–	–	91 4 7¾	9 14 –	—	—	—
14	Peterborough	42	36	33	3	1	–	–	2	645 1 8½	30 1 6	–	3 18 11½	—
15	Spalding	10	13	9	4	3	1	–	–	127 9 9	6 17 4	‡22 12 6	—	—
16	Sleaford	59	41	40	1	1	–	–	–	96 2 8¾	5 8 –	—	—	—
17	Spilsby	66	90	87	3	1	–	–	2	173 15 11⅓	29 – –	–	4 13 –½	—
18	Stamford	37	44	37	7	7	–	–	–	199 10 11	7 10 4	—	—	—
19	Uppingham	36	34	33	1	–	–	–	1	160 7 10½	–	–	2 7 –	—
20	Worksop	29	26	26	–	–	–	–	–	156 16 10	—	—	—	—
	TOTALS	989	904	847	57	35	1	1	20	3,473 10 8½	289 19 11	22 12 6	168 – 5	933 3 4¼

Total Amount Audited above, £.750,000.

Total Disallowed and Surcharged, £. 4,887 6 10¾

* In this case the Overseer had remained in office several years, and became insolvent.
† In this case the Assistant Overseer had fabricated account books, was convicted of embezzlement, and sentenced to one year's imprisonment.
‡ In this the only case reversed, the Union Clerk's Clerk had embezzled the Union money, and was convicted. His master was surcharged, but the surcharge was reversed, because the Union Clerks are not Accounting Officers.

Appendix, No 4.

UNION CHARGEABILITY.

MEMORANDUM by Mr. *Lambert*, on the operation of the 24 and 25 Vict. c. 55.

App. No. 4.

AM desirous of drawing the attention of the mmittee to the fact that my evidence, in which I ded to the objections against union rating, was en before there had been any experience of the ration of the 24 & 25 Vict. c. 55. By that the period of acquiring a *status* of irremova- ty was reduced from five to three years, the a within which such *status* might be acquired extended from a single parish to the whole on; and provision was made that the Common nd should be distributed over the several ishes of the union according to the annual eable valuable of the property therein.

The Act came into operation at Lady-Day 1862, I find that the cost of the out-door relief and maintenance of the irremovable poor has in- ased from 958,800 *l.* for the year ended Lady- y, 1862, to 1,413,600 *l.* for the year ended dy-Day, 1863; whilst the total cost of in-main- ance and out-door relief for the irremovable l all other poor, except lunatics in asylums, for latter period was only 4,077,700 *l.*

I am aware that some portion of this increase attributable to the distress in the cotton manu- turing district, but by far the greater portion is e to the operation of the Act of 1862. I ought o to state that by the same Act the maintenance pauper lunatics in asylums was cast upon the mmon Fund, and, although the returns for 63 are not yet complete, it may be fairly umed that this item will not be less than 0,000 *l.*

In addition to the cost of the irremovable poor d lunatics in asylums, there are other charges on the Common Fund, such as the salaries of icers, repairs of workhouses, &c., and these y be estimated in round numbers at 1,000,000 *l.*

The total charge upon the Common Fund for e year ended Lady-Day 1863, may therefore calculated as follows, viz.:—

	£.
Irremovable Poor - -	1,413,600
Lunatics in Asylums - -	400,000
Salaries of officers and other common charges - -	1,000,000
	£. 2,813,600

And as the cost of the relief of all other poor the same period amounted to 2,664,100 *l.* only, follows that more than one-half of the total ex- nditure now falls upon the Common Fund; and ere can be no doubt that the proportion will ntinue to increase.

In certain instances the Act has been attended th another result, which however was not anti- ated when it was passed.

The bulk of the irremoveable poor are found in the towns, whilst the greater proportion of the settled poor reside in the rural districts. Thus, in the York Union, four-fifths of the poor in the urban parishes are irremovable, whilst not more than one-third of those in the rural parishes come under that head; so that, whilst the rural parishes are disproportionately burthened with the settled poor, they have to contribute towards the maintenance of the irremovable poor resident in the urban parishes, in the same ratio as those parishes themselves, viz., upon the rateable value of property.

With respect to the observation that the motive of economy in the administration of relief becomes less as the area of liability is extended, I have to state, as the result of my experience that, since the passing of the late Act, the interest taken in the administration of the Common Fund has considerably increased, and guardians of parishes which, under the former system of averages, contributed only a nominal sum, now find that they have a considerable stake in expenditure raised upon rateable value, and make it their business to attend the meetings of the Board.

As a further proof of the increasing vigilance of parishes over the expenditure of the Common Fund, I may refer to the application recently made to the Poor Law Board to alter the form of the half-yearly accounts furnished by the guardians to the several parishes of the union, by providing that a distinct item shall be inserted, distinguishing the expenditure for irremovable poor from the salaries and other payments of which the common charges are composed.

The foregoing reasons have induced me to modify, very considerably, the views which I expressed to the Committee in 1862; and, having regard to the growing opinion amongst Boards of guardians in favour of union rating, and also to the serious inconveniences arising from the administration of relief from two separate sources, without, as it now appears to me, any corresponding advantages, I am disposed to concur with those who are of opinion that the costs of maintaining all classes of the poor may be thrown upon the Common Fund, without serious risk to the due and economical administration of relief.

At the same time, I think it desirable, that before any fresh legislation takes place on this important subject, the country should have further information of the operation of the Act of 1862, in conjunction with the Union Assessment Act of the last Session.

(signed) *John Lambert*,
Poor Law Inspector.

Poor Law Board,
29 February 1864.

Appendix, No. 5.

SUPERANNUATION OF UNION OFFICERS.

LETTER from Mr. *Hugh Owen* to the Poor Law Inspectors.

App. No. 5.

Poor Law Board, Whitehall, S.W.,
20 January 1864.

Dear Sir,

THE President, as you are doubtless aware, introduced in the last Session of Parliament a Bill to provide for superannuation allowances to union officers, but owing to the late period at which the measure was brought in, he was induced to withdraw it, upon the understanding that it would be introduced again in the ensuing Session.

By the President's direction I now enclose a copy of the Bill, and he will feel much obliged if you will favour him with such observations as may occur to you with respect either to the principle of the measure, or its separate clauses.

The President is also desirous of ascertaining whether there are any instances in your district of union officers who, for want of such a provision as the Bill contemplates, have retained their appointments after having become wholly or partially disabled by old age or other infirmity from the performance of their duties.

I am, &c.
(signed) *Hugh Owen.*

To Poor Law Inspector.

A BILL to Provide for Superannuation Allowances to Officers of Unions and Parishes.

Preamble.

WHEREAS it is expedient that provision should be made to enable superannuation allowances to be granted to officers of unions and parishes who become disabled by infirmity or age to dischage the duties of their offices: be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Guardians may, with Consent of Poor Law Board, grant Superannuation Allowances to Officers in certain Cases.

1. That the guardians of any union or parish may, at their discretion, with the consent of the Poor Law Board, grant to any officer in their service who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, upon his resigning or otherwise ceasing to hold his office, an annual allowance not exceeding in any case two-thirds of his then salary, and shall charge such allowance to the same fund as that to which such salary would have been charged if he had continued in his office.

Allowances not to be assignable for nor chargeable with Debts or other Liabilities.

2. This allowance shall be payable to or in trust for such officer only, and shall not be assignable for nor chargeable with his debts or other liabilities.

No Allowances to be granted on the Ground of Age, unless Officer of the age of 60 Years, and has been an Officer for 20 Years.

3. No officer shall be entitled to such allowance on the ground of age who shall not have completed the full age of 60 years, and been an officer of some union or parish for 20 years at the least.

Notice of Grant to be given.

4. No grant shall be made without one month's previous notice, to be specially given in writing to every guardian of the union or parish of the proposal to make such grant, and the time when it shall be brought forward.

Interpretation.

5. The words herein used shall be interpreted in the manner prescribed by the Statute of the fourth and fifth years of William the Fourth, chapter seventy-six, and the subsequent Acts amending or explaining the same.

App. No. 5.

LETTER from Mr. *Cane*, Poor Law Inspector, to Mr. *Hugh Owen*.

Dear Sir, Brighton, 23 January 1864.

I HAVE carefully considered the copy of the "Bill to provide for Superannuation Allowances to Officers of Unions and Parishes" in certain cases, which was enclosed in your letter of the 20th instant.

I fully approve of the principle of the Bill, and the several clauses contained in it appear to me to be free from objection. If this Bill should be passed, it will undoubtedly enable some Boards of Guardians to provide in some few cases a remedy for what is a serious evil, namely, the continuance in the service of the unions of officers who through age or infirmity are no longer capable of the efficient performance of their duties. But if the Bill is passed in its present form, its operation will, I think, be very limited. There will be but a small proportion of the union officers, to whom guardians are likely to make an allowance, who remain in the service of one union for a period of 20 years.

I have not yet quite visited all the unions in my district, but I have hitherto only seen three marked instances in which officers are unfit for their duties, owing to their age and infirmity. In one of these instances the service has not extended to a period of 20 years. In the other two instances that period has been exceeded. I think that the guardians would probably be inclined to make an allowance to one of these officers on his retirement, but I doubt whether they would readily do so in the other. Of this I am sure, however, that these three officers are quite incapacitated for service and that the public interests suffer by their remaining in their offices.

I am, &c.
(signed) *N. B. Cane.*

To Hugh Owen, Esq.
&c. &c. &c.

LETTER from Mr. *Corbett*, Poor Law Inspector, to the Right Honourable *C.P. Villiers*, M.P.

Royal Hotel, Manchester,
Sir, 28 January 1864.

IN reply to Mr. Owen's circular letter, accompanying a copy of the proposed Bill "to provide Superannuation Allowances to Officers of Unions and Parishes," and requesting my observations "with respect either to the principle of the measure or its separate clauses," I beg to express my approval of the principle of granting superannuation allowances to such officers, but at the same time, I fear that the Bill in its present merely permissive form will be found to a great extent inoperative, and where acted on very unequal in its operation.

If superannuation allowances are to be granted, I think something like certainty and uniformity of action should be, if possible, secured, and which the measure should, on the one hand hold out to officers, who have devoted their best years to the service of the ratepayers, a certain provision against old age and infirmity, it should I think, at the same time require those officers to contribute to that provision from their own earnings. And I doubt, if the principle of a Superannuation Fund raised by the compulsory contribution of a certain per-centage on each officer's salary would be so unpalatable to the officers themselves as is generally supposed, if a clause were introduced entitling any officer who might retire from ill health, or other bodily or mental infirmity before attaining 60 years of age, or the completion of 20 years' service to an annuity equal to that which he could then purchase with the accumulated amount of the compulsory contributions he had made to such fund, and in the event of his death while in the service of the union or parish, an annuity on the same basis might be secured to his widow or children.

The only instance I am aware of in my present district of an union officer who, for want of such a provision as the Bill contemplates, has retained his or her office after becoming almost wholly disabled by old age, or infirmity, is the matron of the Preston Union Workhouse, at Preston, whose services I believe the guardians would have willingly dispensed with, when an assistant matron was lately appointed, had they had the power of granting her a retiring allowance. Such cases are, however, by no means uncommon.

I have, &c.
(signed) *M. Corbett*,
Poor Law Inspector.

To the Right Honourable C. P. Villiers, M.P.,
&c. &c. &c.
Poor Law Board, Whitehall.

App. No. 5.

LETTER from Mr. *Doyle*, Poor Law Inspector, to Mr. *Hugh Owen*.

My dear Sir, Chester, 8 February 1864.

MY experience leads me to approve strongly of the principle of providing superannuation allowances for union officers. It would not, I think, be possible to give effect to that principle by any measure more moderate, or less likely to provoke serious opposition, than by the Bill introduced into Parliament by the President last Session.

I have known several cases in which union officers have, for want of such a provision; as the Bill contemplates, retained their appointments after they had ceased, through old age or infirmity, to be able to discharge their duties efficiently. I have also known cases in which guardians have endeavoured to evade their legal inability to make such provision; in one case, I remember, by giving a gratuity under a forced construction of one of the Articles of the Consolidated Order; in another, by appointing a feeble old man of 73 to an office with nominal duties, when it was found that the Poor Law Board hesitated to sanction the payment to him, even as parish relief, of a sum of 10 *s.* per week. I met the other day with the case of a relieving officer, who is wholly incapable, from age and infirmity, to personally discharge the duties of his office. The guardians are naturally unwilling to compel the resignation of a man who has been for 22 years in their service, whose health has been impaired by the arduous nature of his duties, and who, if now dismissed, would be wholly unprovided for.

See Correspondence, No. 41,879—56, Atcham Union.

See Correspondence, No. 32,802—63, Dolgelly Union.

The conditions under which alone superannuation allowances can be granted by this Bill would obviate the objection which possibly might be taken to the principle of it, that it is rather at variance with that of the Poor Law itself, and might tend to discourage forethought and carefulness on the part of Poor Law officers. But the facts that a man must have served for 20 years, must be incapable of further service, must be at least 60 years of age; that, all these conditions fulfilled, he has still not the same right to his annuity that a pauper has to his relief, but must get it from the liberality of a Board of Guardians, to three-fourths of whom he is very likely to be personally unknown: these conditions will effectually prevent such a measure as this from operating as an encouragement to improvidence, even if the salaries of union officers were not as a general rule insufficient to enable them to make provision for old age.

Some of the most efficient officers in my district are men who have passed from smaller to larger unions, a practice which I think ought not to be discouraged. If practicable, it would be only fair to allow a man to make up his 20 years of service by including the whole period that he may have served, no matter in how many unions. I must admit, however, that it would be difficult to apportion the payment upon two or more unions.

These are the only observations which it occurs to me to offer upon a Bill, the principle of which I think is just, and the provisions, as far as they go, likely to be useful.

I am, &c.
(signed) *Andrew Doyle.*

Hugh Owen, Esq.

LETTER from Mr. *Graves*, Poor Law Inspector, to Mr. *Hugh Owen*.

Dear Sir, Cheltenham, 22 January 1864.

I BEG to acknowledge the receipt of your letter of the 20th instant, enclosing, by direction of the President, a copy of the Bill "To provide for Superannuation Allowances to Officers of Unions and Parishes," and requesting my observations thereon.

I approve the principle of the Bill, and every clause, except the first, which would, in my opinion, be made better by restricting the officers to whom allowances may be granted, to those who are required to devote their whole time to the discharge of their duties, and who cannot be dismissed by the guardians.

I should prefer the word "be" to "become" in that clause, in order to include persons already incapable.

There have been several instances in my district of officers, who, for want of such a provision as the Bill is intended to supply, have retained their appointments after having become wholly or partially disabled by old age, or other infirmity, from the performance of their duties. I am unable to specify all the instances which have come to my knowledge, but I now remember a schoolmistress in the Cheltenham Union, a workhouse master in the Newport (Mon.) Union, and a relieving officer in the Hereford Union.

I am, &c.
(signed) *John T. Graves.*

To Hugh Owen, Esq.,
Poor Law Board.

App. No. 5.

LETTER from Mr. *Gulson*, Poor Law Inspector, to Mr. *Hugh Owen*.

My dear Sir, Teignmouth, 22 January 1864.

I HAVE received your letter enclosing copy of the Bill which was introduced into Parliament last Session to provide for superannuation allowances to union officers, and asking for any observations upon it.

In reply, I beg to state that the general opinion of the Poor Law Guardians in my district appears to be against the provisions of the Bill. It is considered that if the principle of superannuation is right, there ought to be no discretionary power placed in the hands of Boards of Guardians in regard to the grant of superannuation allowance; that such a discretion will lead to favouritism; and that, in some instances, it may operate to influence the election of guardians for the year during which superannuation may be applied for under the provisions of the Bill.

It is also urged that as the Boards of Guardians are changeable bodies, they may not always be the best judges of the merits of the cases which may be brought before them.

It is also considered, generally, that a fund for superannuation purposes should be, in part, based upon the contributions of the officers themselves to such fund, by a per-centage deduction from their salaries, and that an addition to such contribution might fairly be made from the Consolidated Fund.

It is urged also by many, that as the poor rate is to a considerable extent drawn from the pockets of a poor class of ratepayers, it is unfair to tax them for services rendered to their ancestors, and that the poor rate should not therefore be made liable for the superannuation payments.

In these views I generally concur. I greatly doubt the expediency of entrusting Boards of Guardians with a discretionary power of granting superannuation allowances, and consider that similar merits would be very dissimilarly dealt with in different unions.

In reply to your inquiry, whether in my district there are any union officers who, for want of such a provision as the Bill contemplates, have retained their appointments after having been wholly or partially disabled by old age or other infirmity from the performance of their duties, I have to state that I am not aware of any such cases.

I have no observations to make upon the separate clauses of the Bill.

I am, &c.

Hugh Owen, Esq. (signed) *E. Gulson.*

LETTER from Mr. *Hawley*, Poor Law Inspector, to the Right Hon. *C. P. Villiers*, M.P.

Sir, West Green House, 26 January 1864.

IN obedience to the request contained in Mr. Owen's letter of the 20th instant, that I would furnish you with such observations as may occur to me with respect to the principle and details of the Bill above referred to, which it is your intention to introduce at the ensuing Session of Parliament, I have the honour to state, that as regards the principle of the Bill, a long practical knowledge of the condition of the officers of the unions in this district, and the opinions generally entertained by the guardians on the subject, have for some time convinced me, that as a mere act of justice to a meritorious class of persons who have given up their lives to vocations requiring the incessant exercise of the energies both of mind and body, a measure of the nature of the one now contemplated is imperatively required, and that it would be unreasonable any longer to deny a boon to them which is already conceded to other officers variously employed in the public service.

I consider it an equitable principle of the Bill, that the charges incurred in pensioning their officers should fall upon the guardians rather than upon the Government, for the reasons, that with the guardians originate the decisions which provide for the number of officers whom they may consider it necessary to employ, as well as the selection of the candidates; they are also the parties most competent to judge of their conduct whilst in office, of the circumstances which may render their relinquishment of it necessary, and the amount of pension to which they would be fairly entitled by their services, their age, and the nature of their infirmities. I also think that the officers, being locally employed, should have their retiring allowances provided by the locality which has received the benefit of their services.

The salaries now paid to the officers have been fixed with reference to their immediate requirements, and they are generally too limited to admit of any saving being effected during their term of office, the guardians not considering it safe or expedient to make such an addition to them as would allow the officers themselves to provide a fund for their future subsistence by insurance or otherwise, without some official control, which should compel the application of the increase in the salary to the purpose intended; and the consequence is, that several aged and worn-out officers are to be found residing as paupers in the very workhouses over which they previously presided, a fact which shows strongly the necessity and justice of the measure in contemplation.

With respect to the separate clauses, I am of opinion that, under clause No. 1, the maximum amount of the retiring allowance has been fairly and properly fixed at two-

App. No. 5.

thirds of the salary, which will leave the guardians at liberty to apportion it to any extent they may think proper, up to that point, in accordance with the claims and merits of the retiring officers.

The provision in clause No. 2, that the allowance shall be payable to the officer only, is advisable as a precautionary measure, inasmuch as if the claims of creditors were to be first satisfied out of it, the object of the Bill, that the allowance should go to the support of the officer during the declining and helpless period of his existence, would be entirely frustrated.

Clause No. 3 might probably be improved by extending its provisions to officers under the age of 60, suffering from mental or bodily ailment causing disability, owing to injuries incurred by accident in the discharge of their duties.

Clause No. 4 very properly provides for due notice being given to the guardians of the intention to make a grant to an officer.

The effects likely to be produced by the Bill appear to be, that it will secure the services of a class of officers even superior to those who now hold office, and inducements will be held out to them to retain their situations longer, and to secure the confidence of the guardians by a more faithful discharge of their duties.

The only objection I have ever heard raised against the measure is, that it might operate to lower the standard of the officers' salaries in future; I apprehend, however, that this will not be the case; but should it occur, the advantages offered by the superannuation allowance, will be considered more than an equivalent for a small annual reduction of income.

There are numerous examples in this district of union officers who, for the want of such a provision as the Bill contemplates, have retained their appointments up to the present time, after having become wholly or partially disabled by old age or infirmity, from the performance of their duties; amongst which, I can instance, the master and matron in the Petworth Workhouse; the master and matron of the Westhampnett Workhouse; the master of the Westbourne Workhouse; the master of the Blandford Workhouse; the clerk and two relieving officers of the Alton Union; the master of the Hursley Workhouse; the master of the Winchester Workhouse: and there are probably many others whose services the guardians would willingly dispense with for the purpose of infusing a little more youthful and vigorous blood into their respective staffs.

I have, &c.
(signed) *W. H. T. Hawley,*
Inspector.

To the Right Hon. C. P. Villiers, M.P.,
President of the Poor Law Board,
&c. &c. &c.

LETTER from Mr. *Hurst*, Poor Law Inspector, to the Right Honourable *C. P. Villiers*, M.P.

Sir, Richmond Yorks, 1 February 1864.

I AM in receipt of a communication from Mr. Owen, dated the 20th ultimo, enclosing a copy of a Bill to provide for superannuation allowances to union officers, and requesting my observations on the same.

The principle of the measure has my full concurrence, and it is unquestionably very desirable some provision should be made for those connected with the administration of the Poor Laws, when no longer able from age and infirmity to discharge their duties.

Union officers are generally not highly remunerated, and as the workhouse masters, matrons, and relieving officers are very properly required to "devote their whole time to the performance of the duties of their offices," there is, I fear, a positive inability sometimes to make any suitable provision for the future; an enactment whereby a fund might be formed by a deduction from salary would consequently be injurious.

I am persuaded from the absence of any retiring provision, officers are often retained by the guardians through a feeling of respect or compassion, and, if dismissed, would probably become applicants for relief.

It is difficult, as well as invidious, to give proofs of this assertion; but I may mention there has been for some years in the Berwick Workhouse a former assistant master whose services were no longer required, and the late master of the Houghton-le-Spring Workhouse, for several years before his death, was incompetent, and if dismissed would have been a pauper.

With reference to the details of the Bill, I beg to recommend it be assimilated to the 16 & 17 Vict. c. 97 sec. 59, and so framed that only officers who are expressly required to devote their whole time to the duties of their office should participate in its benefits, and that these parties must have held office for 20 years continuously.

I have, &c.
(signed) *N. Edward Hurst.*

To the Right Honourable C. P. Villiers, M.P.,
President of the Poor Law Board.

LETTER from Sir *J. Walsham*, Bart., to the Right Hon. *C. P. Villiers*, M.P. App. No. 5.

Sir,

I HAVE the honour to acknowledge the receipt of a letter, dated the 20th instant, in which Mr. Owen draws my attention, by your direction, to the Bill to provide for superannuation allowances to minor officers, introduced by me in the last Session of Parliament, with a view to my submitting, for your consideration, such observations as might occur to me with respect either to the principle of that measure or its separate clauses.

These observations will be brief. I entirely approve, and the guardians of my district almost unanimously approve, of the principle of the measure in question; whilst the separate clauses appear to be well adapted to carry the objects proposed beneficially into effect.

There is, however, one point in reference to which I foresee some future difficulty.

An officer, say a workhouse master, succeeds, by reason of his efficiency and good conduct, in bettering himself (to use a common expression), and after having meritoriously served, first, perhaps, as a porter or schoolmaster, then as master of a small workhouse, and afterwards as master of a larger workhouse, eventually finds himself, at the end of 15 or 20 years' hard service, promoted to the superintendence of a first-class workhouse. There we will suppose him to serve five years more, and, at the expiration of that period, to fall within the range of clause 1 of the Bill. But as the guardians, whose officer he is at that time, will have had only five out of his 20 or 25 years' service, I fear there will be the greatest unwillingness, on their part, to undertake, at the exclusive charge of their own constituents, the payment of a retiring allowance adequate to the merits and needs of the broken-down officer, though the very circumstances of the case would seem to indicate past efficiency.

I do not know whether this difficulty can be met by attaching a proviso to clause 1; I am apprehensive that it will not be easy to frame such a proviso; but the difficulty is one very likely to arise.

With regard to the question as to whether there are any instances in my district of union officers who, for want of such a provision as the Bill contemplates, have retained their appointments after having become wholly or partially disabled from the performance of their duties, I can at once reply that there have been many, and that at this moment there are several such instances within my knowledge. Indeed, it seems obvious that, in default of any power in the Poor Law Board to authorise the payment by guardians of superannuation allowances to their officers, it could not be otherwise, more particularly in the cases of relieving officers.

Workhouse officers may, and often do, save money; a relieving officer hardly ever. He therefore clings tenaciously to the situation which enables him to live in comparative comfort, long after he has ceased to be physically equal to its requirements; nor, under such circumstances, can guardians, or even Poor Law inspectors help "being to (his) faults a little blind."

Public interests suffer considerably in consequence; whilst public feeling is distressed by the spectacle of an old or infirm man, who in his time has done good service, toiling day by day, and in all weathers, in the weary discharge of duties which tax the strength of a man in the prime of life; and that because his too probable alternative is to become a recipient of parochial relief himself, or a dependent on charity for the precarious support of his latter days.

I have, &c.

The Right Hon. C. P. Villiers, M.P., &c. &c. &c.

(signed) *John Walsham.*

P. S.—I permit myself to take this opportunity of bespeaking your consideration of the case of district auditors; they are not included in the lists of pensionaries to whom the "Civil Service Superannuation Act" applies; and as their duties connect them with no one union in particular, your measure will not reach them. Nevertheless, they are as liable as other men to grow too old, or to become too infirm for the efficient fulfilment of functions which are the keystone of Poor Law administration.

LETTER from Mr. *Weale*, Poor Law Inspector, to the Right Hon. *C. P. Villiers*, M.P.

Sir, Hampton Wick, 25 January 1864.

I HAVE received a letter from Mr. Owen, enclosing a copy of a Bill to be introduced into Parliament, to provide for superannuation allowances to officers of unions and parishes, and requesting me to record my opinion of the same.

In reply, I beg to state that I have perused the Bill in question; that I quite approve of the principle of the measure, and of the several clauses in which it is proposed to be carried out.

I have a few, but not many instances in my district, of officers retaining appointments for the discharge of which they are partially disabled, but I cannot say that they are entirely unfit for them.

I have, &c.

The Right Hon. C. P. Villiers, M.P. &c. &c. &c.

(signed) *Robert Weale.*
Poor Law Inspector.

Appendix, No. 6.

Classification of Women in Workhouses.

REPORT of *Robert Weale*, Esq., Poor Law Inspector, to the Right Hon. *T. S. Estcourt*, M.P.

Dear Sir, Mansfield Woodhouse, 10 April 1858.

Appendix, No. 6.

I beg to acknowledge the receipt of your letter, dated 29th March, relating to the question of a separation in workhouses of females of bad character from those of good.

I append a list of unions under my charge. In the workhouses of those unions only to which I have prefixed a mark does there exist any means of sub-classification of able-bodied women; and this sub-classification extends only to the separation of married women from single, without any regard to character, except in the cases of Birmingham, Leicester, and Coventry; where, in consequence of the magnitude, density, and character of the population, lock and disorderly wards are also provided.

In answer to your second question, I have to observe, from an experience of 23 years:

1st. That single females, unless encumbered with bastard children, rarely become inmates of workhouses; unmarried women being able, even in times of prevailing distress, to earn their own subsistence; and widows, without bastards born subsequent to widowhood, being relieved out of doors.

2dly. That, should a single woman of good character become an inmate of a workhouse (and in most districts the case of even one would be rare), the consigning her to a separate ward would become a sort of solitary confinement; and, moreover, such a separation would be incompatible with the performance of the regular work of the house, which necessitates during the day, the constant association of all the female inmates.

3dly. In order to meet such a case (if it should occur), I would suggest that Article 98 of the Consolidated Order should be enlarged, so as to enable the guardians to transfer any inmate of Class 5 to Class 4, always entering on their minutes the special reason for such transfer.

Upon the subject generally, you will permit me to make a few remarks:

1st. Though I have repeatedly heard the mingling of good and bad female characters in workhouses complained of as a hardship, the complaint has never proceeded from the inmates themselves, but from persons who have little practical knowledge of the class of people with whom the workhouse deals, and are not sufficiently conversant with the principles on which relief is administered. It is a fact of experience that the moral sensibility which is distressed at association with vice is most rarely to be found co-existent with that destitution which compels persons to seek the workhouse, *i. e.*, the only sort of destitution with which the workhouse deals.

2dly. I would point out the impossibility of applying a satisfactory test of good and bad character. Is it to lie in the fact of having given birth to bastard children? I can truly affirm that most of the young women who have had bastard children are no worse in their general conduct and language than the average of their class; not excepting the married women. It is a notorious truth, that the fact of having given birth to a bastard child is not considered disgraceful amongst the class from which paupers are derived, and (lamentable though it is) that a large proportion of the married women have either given birth to bastard children before their marriage or were pregnant at the time. The language a young female hears, and the moral atmosphere with which she is surrounded in any ward of a well-regulated workhouse under the existing classification is, in my opinion, above and not below the average of that with which she was conversant previous to her admission, and which she would encounter again on her departure.

I wish further to observe, that professional prostitutes hardly ever become inmates of a workhouse in my district, except in large towns. In these they are admitted mainly on account of disease, and are during their illness separated in lock wards. On regaining their

their health they seldom remain long, and during their stay are not generally conspicuous above the other inmates for disorderly behaviour. Appendix, No 6.

On these grounds, I think that any general sub-classification of female inmates beyond that already existing would be unnecessary and expensive, and create great irritation in the minds of the guardians. Any exceptional cases may, I conceive, be satisfactorily dealt with by the extension of Art. 98 of the Consolidated Order, as above suggested.

In conclusion, I beg to say that the subject-matter of your letter is one which has from time to time engaged the anxious attention of the heads of the Poor-law Department, and that in consequence we have from time to time, in different unions, provided the means of sub-classification indicated in my schedule, although I cannot say that I conceive such sub-division to have been materially advantageous.

I have, &c.
(signed) *Robt. Weale.*

To the
Right Hon. T. S. Estcourt, M. P.,
President, &c. &c.

LIST of Workhouses in Mr. Weale's District.

(Those Workhouses in which the Able-bodied Female Classes are subdivided are indicated by a mark, thus *, in the margin.)

Beds.

*Ampthill.
*Bedford.
Biggleswade.
Leighton Buzzard.
*Luton.
*Woburn.

Hertford.

St. Albans.
Barnet.
Berkhampstead.
*Bishops Stortford.
Buntingford.
Hatfield.
Hemel Hempstead.
Hertford.
Hitchin.
Royston.
*Ware.
*Watford.
Welwyn.

Leicester.

*Ashby-de-la-Zouch.
Barrow-upon-Soar.
Billesdon.

Leicester—*continued.*

Blaby.
Hinckley.
*Leicester.
Loughborough.
Lutterworth.
Market Bosworth.
Market Harboro'.
Melton Mowbray.

Middlesex.

*Edmonton.
Hendon.

Northampton.

*Brackley.
*Brixworth.
Daventry.
Hardingstone.
*Kettering.
Northampton.
Oundle.
*Potterspury.
*Thrapstone.
Towcester.
Wellingboro'.

Notts.

*Basford.
*Mansfield.
Radford.

Rutland.

Oakham.
Uppingham.

Warwick.

*Alcester.
Aston.
Atherston.
*Birmingham.
*Coventry.
*Foleshill.
Meriden.
*Nuneaton.
*Rugby.
Solihull.
*Southam.
Stratford-on-Avon.
Warwick.

Worcester.

King's Norton.

Appendix, No. 7.

Petition of the Vestry of the Parish of St. George-the-Martyr, Southwark.

App. No. 7. The humble Petition of the Vestry of the Parish of St. George-the-Martyr, Southwark, in the County of Surrey,

Showeth,

That your Petitioners represent a parish containing upwards of 53,000 inhabitants.

That a large portion of the ratepayers of the parish belong to the poorer classes, and very many of them are constantly on the verge of pauperism.

That, while the rates for the relief of the poor in hundreds of the parishes of the kingdom do not, according to evidence which has been laid before your Honourable House, exceed one farthing in the pound per annum; and, while the average of such rates in the whole kingdom does not probably greatly exceed 2*s.* in the pound per annum, the poor rates raised in this parish for many years past have ranged between 4*s.* and 5*s.* in the pound per annum.

That nearly half of the parishes in the kingdom are, like this parish, unduly and unfairly compelled to pay rates exceeding the average for the kingdom, and many parishes so suffer even to a greater extent than this poor parish.

That thus it unhappily occurs that multitudes of the poor in this country are compelled to contribute in a degree that is oppressive to the maintenance of those who are not a great deal poorer than themselves, while numbers of the rich escape in part or entirely that fair share of the burden which they ought in justice to bear, and are so well able to sustain.

That it appears to your Petitioners that this great injustice might be remedied, by the legislative adoption of a plan for equalising the pressure of the burden of maintaining the country's poor, which your Petitioners have had under their consideration.

That such plan would not abrogate any local or other authorities or institutions whatever.

That it would afford no encouragement to local extravagance in expenditure.

That the cost of carrying it into execution would be so small as to be comparatively insignificant.

That the principles of such plan are the following:—

1. The County Rate Act (15 & 16 Vict. c. 81) should be so far amended as that the several county rate bases should necessarily be made on one and the same principle of assessment; so that not only, as is now provided, shall all the parishes in the same county be equally or proportionately assessed to the county rate, but all the parishes and extra-parochial places in the kingdom.

2. A central authority, either some existing body, or one to be created by the Legislature for the purpose, should be allowed to collect annually returns of the several county rate bases; and also returns to be prepared by the overseers and verified by the district poor law auditor, of the total poor rate expenditure in every parish for a certain number of years last past; and should, from such returns, ascertain the total of the said bases, and the basis for each several parish; and also the total annual average expenditure for the kingdom, and the annual average expenditure in each parish.

3. A poor rate adjustment should be constructed annually by the central authority, somewhat after the manner in which a county rate basis is prepared; and should comprise in as many columns the following items, viz.:—

1st. The name of each parish or extra-parochial place.

2d. The amount of the county rate basis in respect of the same.

3d. The portion of the total annual average poor rate expenditure for the kingdom, proportionate to the amount of the county rate basis for the parish or place.

4th. The amount of the annual average poor rate expenditure in the same.

5th. The amount of relief which may have been granted by the central authority, as provided in the next paragraph, in respect o suddenly augmented expenditure.

6th. The amount of the moities to be accounted for, as provided in the next paragraph, in respect of diminution in expenditure.

7th. The amount to be paid by the parish or place in order to the adjustment of the burden.

8th. The amount to be received by the parish or place in order to the adjustmen of the burden.

4. In case the actual expenditure in any parish shall rise in any year a certain per-centage (sa 10 per cent.) above the average stated in the adjustment for that year, such parish should be at liberty to appeal for relief to the central authority who should be empowered, if such expenditure b found to have been not legally and properly avoidable, to provide for, and, in the adjustmen f

r the year next ensuing, to grant such equitable lief as they might see fit; and, in case the tual expenditure in any parish shall fall in any ar below the stated average, such parish should e permitted to retain, in diminution of the poor tes raised in such parish, a moiety of the difrence, and, should in the certificate of the district or law auditor be charged in the adjustment r the next year with the amount of the other oiety.

5. The calculation to be made in order to the lling-in of the third column would be merely one simple proportion, thus: as the sum of all the unty rate bases is to the county rate basis for a rish, so is the amount of the total annual average xpenditure of the kingdom to the proportion ereof which should be borne by such parish. o the difference between the proportion which ould be so borne by a parish and the average nnual expenditure of such parish would be added deducted the amount, if any, in column 5 or lumn 6, and the resulting sum would be placed the seventh or eighth column, and be paid or ceived as the case might be. If the calculations e all rightly performed, the total of the amounts be paid, and that of those to be received, will e precisely equal.

6. A precept should be issued by the central uthority to the overseers of every parish in hich the portion of the total annual average xpenditure for the kingdom, proportionate to ie amount of the county rate basis for the arish, plus or minus the amount in column 5 r column 6, shall exceed the amount of the annual verage expenditure of the parish, directing them pay by quarterly or other instalments, out of ie poor rate to be raised in such parish, to the Bank of England, or some local bank for transission to the Bank of England, the amount of ich excess which will be found in column 7; and certificate should be issued by the same authoty to the overseers of every parish in respect of which the latter of these items, plus or minus as before, shall exceed the former, enabling them to receive from the Bank of England, or some local bank, the amount of such excess which would be found in column 8.

That, while it appears to your Petitioners that a strict logical propriety and exact justice require that the application of such a plan should embrace the nation as a whole, still it may prove in the first instance more expedient on several grounds that its application should be made to extend only to the area of the metropolis.

That these grounds may be found to be (1) the greater homogeneousness of the parishes and places comprised within the metropolitan area as compared with those of the country at large, or of any county; (2) the impossibility of establishing by argument relating to the metropolis any connexion between the soil of a parish and the support of the poor who may happen to be chargeable to such parish; and (3) the comparatively greater facility for the attainment of such a measure for the metropolis rather than for the whole nation.

Your Petitioners therefore humbly pray that a law may be passed for the application to the kingdom as a whole of the principles of the above plan for a poor rate adjustment; or, if that should be deemed too large a measure, for the application thereof to the metropolis as defined by "The Metropolis Management Act, 1855."

And your Petitioners further pray that this their humble Petition may be referred to the Select Committee on the Poor Laws, which has been by your Honourable House appointed, and is now sitting.

And your Petitioners will ever pray.

Sealed by the vestry with their corporate seal; at a meeting duly convened for the purpose, and held on the 8th day of March 1864.

Daniel Birt, Vestry Clerk.

Appendix, No. 8.

DESTITUTE HOUSELESS POOR IN THE METROPOLIS.

MINUTE OF THE POOR LAW BOARD (referred to in page 40 of the Report).

App. No. 8.

THE Poor Law Board have recently obtained from the several Metropolitan Unions and Parishes returns showing the extent of accommodation provided for destitute vagrants and wayfarers, and the numbers who either received or were refused a night's lodging during the first week of each of the months of January, March, May, and August 1863.

It appears from those returns that, in the aggregate, accommodation is provided in the several metropolitan workhouses for 997 such persons.

But the accommodation is very unequally distributed.

In some unions and parishes the provision appears to be sufficient; in others, however, it is manifestly inadequate; and the Board have reason to suppose that in the latter cases a serious and unequal burden is, in consequence, cast upon those neighbouring unions and parishes which have incurred the expense of providing the requisite wards.

The attention of the Board, as the guardians are aware, has on several previous occasions been directed to this important subject; and some years ago the Legislature, by the Act 7 & 8 Vict. c. 101, sanctioned a scheme for erecting district asylums for the reception of the wandering and casual poor of the metropolis.

Owing to various causes, the chief of which was a want of co-operation on the part of several of the Boards of Guardians, that scheme, after an inquiry by a Committee of the House of Commons, was abandoned.

In 1858 the Poor Law Board, by a circular, again referred to the defects in the mode of administering relief to vagrants and houseless poor in the Metropolitan District, and endeavoured to induce the Boards of Guardians, by united action, to exercise the powers conferred upon them by the Statute already referred to.

Since that time the guardians, in a few instances, have provided additional accommodation, but throughout the district generally the same defects continue to prevail.

The Poor Law Board therefore consider it necessary at this period, when the winter is rapidly approaching, to remind those who are intrusted with the direction and administration of relief, of the nature and extent of the obligations which the law has imposed upon them.

It is a fundamental principle of the Poor Law that every destitute person, without reference to the question of settlement or residence, is primarily entitled to relief where he is actually destitute, and it is the duty of the guardians to see that all necessary and reasonable arrangements are made for affording to every such person the requisite relief—whether in food, clothing, medical attendance, or lodging.

To meet these requirements, the parochial authorities are empowered to raise all necessary sums by local taxation.

With respect to the vagrant and houseless poor, it is obvious that the kind of relief required, in the night at least, is not so much food and clothing, as lodging.

It is unnecessary to remark, that to provide lodging for every applicant indiscriminately in this vast Metropolis would encourage vagrancy and imposture of the worst description, and perpetuate all those evils which were pointed out by the Board, in their Minute of the 4th of August 1848.

But the obligation upon the guardians and their officers to afford the requisite relief to all really destitute applicants is, nevertheless, imperative, and cannot be evaded.

The next consideration, therefore, which arises, is with respect to the manner in which relief can be provided with the least liability to abuse.

In every union, or parish not comprised in a union, there should be, either in the workhouse or elsewhere, proper and sufficient wards, according to the special circumstances of the locality, for destitute wayfarers and wanderers, and means, such as the law contemplates and the Poor Law Board have frequently suggested, should be provided with the view of testing the real condition of each applicant.

In unions and parishes where the existing wards and workhouse accommodation may be insufficient, the Board consider that it is the duty of the guardians to make such further arrangements, whether permanent or temporary, as will ensure for every wanderer and wayfarer, actually destitute, and applying there for food and shelter, sufficient protection and relief for the night.

The

The general duties of those union officers who are responsible for the actual administration of relief may be briefly explained.

The master of a workhouse, or in case of his absence or inability to act, the matron, is required to admit every applicant who may appear to him or her to require relief through any sudden or urgent necessity, although such applicant has not obtained an order of admission either from the guardians, relieving officer, or overseer.

If the master and matron should be both absent from the workhouse, or incapable of performing their duties at the same time, it is the duty of the porter to admit and place in the receiving ward any person who may apply at the workhouse for relief under similar circumstances.

The Board have decided that the master of a workhouse within the Metropolitan District may properly admit, under the above regulations, any person who may be brought there by a police constable and described as having been found abroad in a state of destitution, the presumption being that the applicant has been guilty of no offence that would authorise his detention in custody.

It is the duty of the relieving officer also, in every case of sudden or urgent necessity, to relieve every destitute applicant, either by offering admission to the workhouse, or providing, so far as practicable, all such necessaries as may be actually requisite, without reference to the time of application or to the place where the pauper has last slept.

The Board are desirous of impressing upon Boards of Guardians the importance of giving special directions to the master and matron of the workhouse, and also to the porter that, whenever the workhouse or vagrant wards are full, they should be extremely careful to inform all applicants for admission of the residence of the relieving officer, in order that the requisite relief may be supplied by him.

Printed tickets, with the name and residence of the relieving officer, should be provided and delivered in such cases by the master, matron, or porter to every applicant.

If the applications are likely to be very numerous, and to interfere with the ordinary duties of the relieving officer, or to require much attention from him in the night, an assistant relieving officer should be appointed to attend to these cases exclusively.

In several parts of the country arrangements have been made with the police to undertake the duties of assistant relieving officers of vagrants, and the Board are assured that the adoption of this plan has been attended with very beneficial results.

It will be seen from what has been already stated, that under the existing law, if properly and judiciously applied, sufficient arrangements may be made for affording relief to every destitute person without incurring the risk of encouraging vagrancy.

The Poor Law Board having thus pointed out the requirements of the existing law, and the best means of discharging the obligations which it imposes, trust that they may rely upon the guardians and their officers to give practical effect to this Minute.

Poor Law Board, Whitehall,
December 23, 1863.

C. P. Villiers, President.

Appendix, No. 9.

The Statistics of Disease among the Pauper Population of England and Wales.

App. No. 9.

To the Right Honourable *C. P. Villiers*, M.P., President of the Poor Law Board, and Chairman of the Select Committee of the House of Commons, to inquire into the Operation of the Laws relating to the Poor.

The Epidemiological Society was instituted, in 1851, for the investigation of epidemic diseases, with the special view to examining into the causes which favour their development and spread, and into the means best fitted for their mitigation and prevention.

The successful prosecution of such enquiries rests mainly on the obtaining of accurate data respecting the rise and course of these maladies in different localities and districts, and respecting the numbers of persons attacked, and of the deaths among these persons, on a sufficiently comprehensive scale.

The admirable Returns of the Registrar General afford authentic information as to the number of deaths from different classes of disease; but they afford no materials for ascertaining the number of persons attacked therewith. This want has long been felt by all epidemiological enquirers to be a desideratum which it would be of the utmost consequence to have supplied. The Statistics of Disease are not less necessary than the Statistics of Mortality. It has been estimated that, taking one disease with another, there are at least between 20 and 30 cases of sickness to every death which occurs; but, as yet, we do not possess reliable data to enable us to determine the truth on this point, which it is obviously of public importance to ascertain among our labouring population in civil life.

It is only in the Army and Navy that the necessary machinery for the purpose exists at present. Thirty years ago no use was made, to any extent, of the returns of the medical officer, respecting the amount of sickness and death in either the military or the naval service. It had long been surmised that the average rates were much higher at all times than they ought to be, and it was known that great loss of life, every now and then, arose from epidemic outbreaks in barracks and on board ships of war. But the actual facts could never, of course, be accurately ascertained, until the medical returns were systematically examined and digested, and, consequently, the only sure grounds for the adoption of prophylactic and preventive measures could not be satisfactorily made out. Almost all the salutary changes which have been effected in the health of both services may be traced to the information obtained in this manner.

What has been done with such good results for the Army and the Navy is, in the opinion of the Society, equally applicable in the case of the pauper population of the country, and would be productive of equally beneficial effects.

There are more than 3,000 medical officers, under the general superintendence of the Poor Law Board, for the care of the 14,963 parishes and unions of England and Wales. The number of cases of sickness among the outdoor and the workhouse poor must, at the very lowest estimate, largely exceed a million in the course of the year; and, as the parochial medical officers are required to make a return of every case, there is evidently a mass of authentic statistics of disease actually existing in the country, and capable of affording the most valuable information respecting the public health. Hitherto, these returns have only been submitted to the local Boards of Guardians; after being seen by these functionaries, no further use is made of them.

It requires but the collecting and arranging of these materials on a proper plan to render them most instructive registers upon a large scale, which at the end of the year would form the basis of an annual report, illustrative of the health of that very class of the community among which the greatest amount of preventable disease prevails.

The Epidemiological Society, whose attention has been long earnestly applied to the consideration of the subject, have prepared a simple scheme by which the desired information could be easily, in their opinion, obtained by the Poor Law Board, through the voluntary co-operation of the parochial medical officers, and involving no other expense than that required for the regular tabulation of the materials and the preparing of the annual report.

The Society will feel honoured by being afforded an opportunity of bringing the details of the scheme, in its various bearings, under the attention of the Honourable Committee.

(signed) *B. G. Babington*, President.
F. O. McWilliam, Hon. Secretary.

8 March 1861.

PARISH or UNION of Population in 1861 - {Males - - - / Females - -}

1863, January. MONTHLY RETURN of Sickness and Mortality among OUT-DOOR* PAUPERS.

Number of Cases remaining from last Month.		60 — 80 Years.	40 — 60 Years.	20 — 40 Years.	5 — 20 Years.	Under 5 Years.	Number of New Cases.		DISEASES.	Deaths.		Under 5 Years.	5 — 20 Years.	20 — 40 Years.	40 — 60 Years.	60 — 80 Years.	REMARKS Illustrative of 1. Locality. 2. Dwelling. 3. Occupation. 4. Food, Drink, &c.
Males.	Females.						Males.	Females.		M.	F.						
									Continued fever -								
									Ague, &c. - -								
									Scarlatina - -								
									Measles - -								
									Smallpox - -								
									Diphtheria - -								
									Diarrhœa - -								
									Cholera - -								
									Other zymotic diseases.								
									Scrofula - -								
									Phthisis - -								
									Other constitutional diseases.								
									Disease of nervous system.								
									Disease of respiratory system.								
									Disease of digestive system.								
									Disease of uterine system.								
									Other local diseases								
									Abortion -								
									Teething - -								
									Atrophy - -								
									Accidents, &c. -								
									Poisoning, &c. &c.								
115	102						490	500		21	17						
217							990			38							= Number of deaths during the month.
							217										
TOTAL Number of Cases treated = 1,207																	

* A similar Return to be prepared for Paupers in the Workhouse.

REPORT

FROM THE

SELECT COMMITTEE

ON

POOR RELIEF;

WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

AN APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
31 *May* 1864.

[*Price* 1 *s.* 6 *d.*]

349.

Under 20 *oz.*

REPORT

FROM THE

SELECT COMMITTEE

ON

TURNPIKE TRUSTS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1864.

Martis, 8° *die Martii*, 1864.

Ordered, THAT a Select Committee be appointed to inquire into the Expediency and Practicability of abolishing Turnpike Trusts.

Martis, 5° *die Aprilis*, 1864.

Ordered, THAT the Committee do consist of Twenty-one Members.

Committee nominated of—

Mr. Bruce.	Colonel Smyth.
Colonel Hussey Packe.	Mr. Sclater-Booth.
Mr. Alcock.	Colonel Stuart (Bedford).
Mr. Fenwick.	Sir James Fergusson.
Mr. Mildmay.	Sir William Jolliffe.
Mr. Wrightson.	Colonel Gilpin.
Lord Henley.	Mr. Walter.
Mr. Dodson.	Colonel French.
Mr. Clive.	Mr. William Legh.
Colonel Pennant.	Mr. Western.
Colonel Barttelot.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Ordered, THAT it be an Instruction to the Committee that they do limit their Inquiry to the Turnpike Trusts of England and Wales.

Jovis, 7° *die Aprilis*, 1864.

Ordered, THAT the Report which, upon the 9th day of August 1836, was made from the Select Committee on Turnpike Trusts and Tolls, be referred to the Committee.

Jovis, 14° *die Aprilis*, 1864.

Ordered, THAT the copy of the Report of the Royal Commission to inquire into the Turnpike and Statute Labour Roads of Scotland (1858), be referred to the Committee.

Veneris, 29° *die Aprilis*, 1864.

Ordered, THAT Mr. Thomas George Baring be added to the Committee.

Martis, 14° *die Junii*, 1864.

Ordered, THAT the Committee have power to Report their Observations, together with the Minutes of Evidence taken before them, to The House.

REPORT - - - - - - - - - - - - - p. iii
PROCEEDINGS OF THE COMMITTEE - - - - - p. v
MINUTES OF EVIDENCE - - - - - - - - - p. 1
APPENDIX - - - - - - - - - - - - p. 142

REPORT.

THE SELECT COMMITTEE appointed to inquire into the Expediency and Practicability of Abolishing TURNPIKE TRUSTS;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:—

YOUR Committee have considered the Report of 1836, which was referred to them. They have received much valuable information from Colonel Pennant and Mr. Wrightson as to the course pursued since that period, from which it appears that the whole bonded debt on turnpike trusts in England and Wales, which in 1836 exceeded 7,000,000 *l.*, has now been reduced to little more than 4,000,000 *l.* There are, however, large arrears of interest, which although in process of reduction since 1836, mainly by disallowance, still amounted in 1860 to 760,000 *l.*

They have also considered the Report of the Commissioners of Roads for Scotland, where in several counties the system has been greatly improved by the appointment of Road Boards, who, by the consolidation of various trusts or by the assessment of the counties for the repair and maintenance of the roads, and by the appointment of a competent surveyor for each county, have effected a material diminution of expense, which will lead to a speedy extinction of the existing debt, and a reduction both in number and amount of tolls.

In Ireland the removal of the tollgates has been effected by charging the repairs of the roads and the existing debt upon the rates of the counties and baronies; the roads having been submitted to the supervision of the county surveyors.

In South Wales, where some years ago great dissatisfaction prevailed in consequence of the frequency and apparently unjust distribution of tollgates, owing to the excessive number of trusts, great improvement has been effected by an Act of Parliament which consolidated the trusts, regulated the number of tollgates, and provided for the extinction of debt by the advance of a sum of money out of the Consolidated Fund, to be repaid by terminable annuities of 30 years.

Your Committee fully concur in the conclusion arrived at by the Committee of 1836, "that the abolition of tolls throughout the kingdom would be beneficial to the community;" and they think that the anticipations of that Committee as to the probable effect of railways have been to a great extent realized, the traffic being now chiefly local, and the tolls being generally paid by the ratepayers.

In the words of Mr. Wrightson, "The through traffic has been diverted by railroads; the roads have become a local burthen, and the trustees have been driven to the multiplication of bars."

Wherever the ratepayers are the principal tollpayers, the inference would appear to be inevitable that it would be better they should contribute to a rate which would be administered under their own supervision or that of their representatives, than continue subject to tolls.

Tolls appear to Your Committee to be unequal in pressure, costly in collection, inconvenient to the public, and injurious, as causing a serious impediment to intercourse and traffic.

Mr. Wrightson estimates the cost of each gate at 25 *l.*, and he thinks there are at least four gates in each trust, which is probably too low an estimate; but as the number of trusts exceeds 1,100, the cost of collection, even on this estimate, would be very large.

Mr. Macefield states that in the Leominster trusts it takes one-half of the revenue to pay the expenses and establishment charges, while the repairs are put upon the parishes. Mr. Wrightson adds, that the cost of renewals is enormous. Were the system as productive and as satisfactory as it is in many instances notoriously the reverse, the existence of a double set of officers in one district would still, in the opinion of the Committee, be unnecessary and extravagant.

Cases are not rare of trusts in which the whole produce of the tolls, after payment of the establishment charges, is absorbed in the payment of the interest of the debt, while arrears accumulate, and the whole burthen of the maintenance of the roads is thrown upon the parishes.

This parochial burthen, contemplated by the existing law, and of inevitable incidence whenever tollgates are removed, will, in the opinion of Your Committee, press unequally and unjustly on many small, poor, or peculiarly situated parishes, and they therefore recommend the adoption of a more extended area of rating.

Your Committee are far from saying that there may not be some districts in the north of England, or elsewhere, in which the abolition of tolls, under the existing state of the law, would be unsatisfactory; but they think such cases are exceptional, and that tolls should not therefore be continued generally over the whole country.

From the annual returns, as well as from the evidence of Mr. Leslie, it would seem that the bonded debt of England and North Wales may now be taken at a nominal sum but little exceeding 4,000,000 *l.* In the opinion of Colonel Pennant and of Mr. Wrightson, the current value of this debt is about 3,000,000 *l.*, which sum might be liquidated by an annual payment of, say, 180,000 *l.* for 25 years.

On the whole, your Committee are of opinion that the abolition of Turnpike Trusts, as now existing, would be both beneficial and expedient, and might be practicable if the system adopted in Scotland or in South Wales could be acted upon in each county in England and North Wales.

Your Committee are of opinion that, pending the abolition of the present system, attention might, with advantage, be directed to the circumstances of the several Trusts whose Acts are continued from year to year by the Annual Continuance Act; and if it should be found that the power of Parliament might be beneficially exercised, in order to provide for the more speedy extinction of the debt of any Trust; to secure a full consideration of the propriety of abolishing Trusts that are free from debt (now amounting to more than 100), or to obtain economy of management by the consolidation of several Trusts; Your Committee suggest that such Trusts should be excluded from the operation of the Continuance Act, and be obliged to come to Parliament for a renewal of their Acts.

PROCEEDINGS OF THE COMMITTEE.

Lunæ, 11° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Clive.	Sir James Fergusson.
Mr. Bruce.	Mr. William Legh.
Colonel Hussey Packe.	Colonel Barttelot.
Lord Henley.	Mr. Wrightson.
Mr. Walter.	Colonel Smyth.
Colonel Pennant.	Mr. Mildmay.

Mr. *Clive* was called to the Chair.

The Committee deliberated.

[Adjourned to Thursday, at Twelve o'clock.

Jovis, 14° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Mr. Western.	Mr. Dodson.
Colonel French.	Mr. Mildmay.
Lord Henley.	Mr. William Legh.
Colonel Hussey Packe.	Colonel Stuart.
Colonel Pennant.	Colonel Barttelot.
Mr. Alcock.	Mr. Wrightson.
Mr. Walter.	Mr. Fenwick.
Mr. Bruce.	Sir William Jolliffe.

Mr. *F. S. Leslie*, Colonel *Douglas Pennant* (a Member of the Committee), Mr. *George F. Newmarch*, and Mr. *G. K. Rickards*, were severally examined.

[Adjourned to Monday, at Twelve o'clock.

Lunæ, 18° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel French.	Mr. Mildmay.
Mr. Wrightson.	Mr. W. Legh.
Lord Henley.	Mr. Fenwick.
Sir James Fergusson.	Colonel Barttelot.
Colonel Smyth.	Mr. Dodson.
Mr. Alcock.	Sir William Jolliffe.
Colonel Pennant.	Mr. Walter.
Colonel Hussey Packe.	Mr. Sclater-Booth.
Mr. Western.	

Mr. *Alexander Macduff*, Rev. *Gustavus Talbot*, Mr. *John J. Fox*, Mr. *John E. Bradfield*, and Mr. *John Wood*, were severally examined.

[Adjourned to Thursday, at One o'clock.

Jovis, 21° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel French.	Mr. Alcock.
Colonel Gilpin.	Mr. Dodson.
Mr. Walter.	Sir William Jolliffe.
Colonel Stuart.	Sir James Fergusson.
Colonel Hussey Packe.	Mr. Wrightson.
Mr. Western.	Mr. Fenwick.
Mr. Sclater-Booth.	Mr. W. Legh.
Colonel Barttelot.	Colonel Pennant.

Rev. *Archer Clive*, Rev. *Edward Higgins*, and Mr. *John Lees*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Jovis, 28° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel Hussey Packe.	Mr. Walter.
Mr. Western.	Mr. Wrightson.
Colonel Stuart.	Sir William Jolliffe.
Colonel Gilpin.	Colonel Barttelot.
Colonel Pennant.	Mr. Fenwick.
Mr. Alcock.	Mr. Sclater-Booth.
Colonel French.	Mr. William Legh.

Colonel *Pennant*, a Member of the Committee, again examined; Mr. *John Kelly*, Mr. *James Watkins*, Rev. *William Peach*, and Mr. *J. H. Scourfield* (a Member of the House), were severally examined.

[Adjourned to Monday next, at Two o'clock.

Lunæ, 2° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel French.	Lord Henley.
Mr. T. G. Baring.	Mr. Walter.
Mr. Alcock.	Sir William Jolliffe.
Colonel Pennant.	Mr. Sclater-Booth.
Colonel Hussey Packe.	Mr. Fenwick.
Mr. Western.	Mr. Dodson.
Mr. William Legh.	

Mr. *H. W. Littler*, examined.

[Adjourned to Thursday, at Two o'clock.

Jovis, 5° die Maii, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel French.	Colonel Pennant.
Mr. Wrightson.	Mr. Alcock.
Sir William Jolliffe.	Mr. T. G. Baring.
Mr. Dodson.	Mr. Walter.
Mr. William Legh.	Lord Henley.
Mr. Western.	Mr. Fenwick.
Colonel Hussey Packe.	Colonel Barttelot.

Mr. *William Bousfield Ferrand* (a Member of the House), and Mr. *George Burrow Gregory*, were severally examined.

[Adjourned to Monday, at Twelve o'clock.

Lunæ, 9° die Maii, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel French.	Colonel Gilpin.
Lord Henley.	Colonel Barttelot.
Mr. Walter.	Sir William Jolliffe.
Mr. Baring.	Colonel Pennant.
Mr. Alcock.	Mr. Fenwick.
Colonel Hussey Packe.	Mr. Sclater-Booth.
Mr. Western.	Colonel Stuart.

Mr. *William Bird*, Mr. *George Macefield*, Mr. *George B. Gregory*, Rev. *Edward J. Howman*, Mr. *George Robson*, Mr. *Frederick Ellman*, and Sir *Joseph Paxton* (a Member of the House), were severally examined.

[Adjourned to Thursday, 26th, at Twelve o'clock.

Jovis, 26° die Maii, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Lord Henley.	Mr. William Legh.
Mr. Walter.	Mr. Sclater-Booth.
Mr. Wrightson.	Sir William Jolliffe.
Mr. Alcock.	Colonel Barttelot.
Colonel Stuart.	Colonel Pennant.
Mr. T. G. Baring.	Colonel Gilpin.
Mr. Western.	Sir James Fergusson.

Mr. *Frank James* and the Rev. *John Wrey*, examined; Rev. *Archer Clive*, again examined; Mr. *Wm. B. Wrightson* (a Member of the Committee), examined.

[Adjourned to Thursday, at Twelve o'clock, to consider Report.

Jovis, 2° die Junii, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Colonel Smyth.	Colonel French.
Mr. Fenwick.	Mr. Walter.
Mr. Mildmay.	Colonel Stuart.
Mr. Dodson.	Mr. T. G. Baring.
Colonel Hussey Packe.	Sir William Jolliffe.
Mr. Alcock.	Colonel Barttelot.
Colonel Pennant.	Mr. Western.
Mr. Wrightson.	Colonel Gilpin.
Lord Henley.	

Colonel *Pennant* (a Member of the Committee), again examined.

Report proposed by the Chairman, read 1° (as follows):—

"1. Your Committee have considered the Report of 1836, which was referred to them. They have received much valuable information from Colonel Pennant and Mr. Wrightson as to the course pursued since that period, from which it appears that the whole debt on turnpike trusts in England and Wales, which in 1836 exceeded 7,000,000*l.*, has now been reduced to little more than 4,000,000*l.*

"2. They have also considered the Report of the Scottish Commissioners, and have received from Mr. M'Duff and Mr. Kelly valuable information as to the changes which have taken place in Scotland and Ireland.

"3. The consolidation effected in South Wales has been explained by Mr. Scourfield and Mr. Richards. They have also examined many witnesses upon the subject-matter generally.

"4. Your Committee fully concur in the condemnation of turnpike trusts pronounced by the Committee of 1836, and they think that the anticipations of that Committee as to the probable effect of railways have been fully realised, the traffic being now (with few exceptions) local, and the tolls being paid by the ratepayers.

"5. In the words of Mr. Wrightson, 'The through traffic has been diverted by railroads; the roads have become a local burthen, and the trustees have been driven to the multiplication of bars.'

"6. If, as the witnesses generally agree in stating, the tollpayers and the ratepayers are the same persons, the inference would appear to be inevitable that it would be better they should contribute to a rate which might be cheaply collected and economically administered, under their own supervision or that of their representatives, than continue subject to tolls.

"7. Tolls appear to your Committee to be unequal in pressure, and most costly in collection, inconvenient to the public, and injurious to the smaller towns, as causing a serious impediment to intercourse and traffic.

"8. Mr. Wrightson estimates the cost of each gate at 25*l.*, and he thinks there are at least four gates in each trust, which is probably too low an estimate; but as the number of trusts exceeds 1,100, the cost of collection, even on this estimate, would be very large.

"9. Mr. Macefield states that in the Leominster trusts it takes one-half of the revenue to pay the expenses and establishment charges, while the repairs are put upon the parishes. Mr. Wrightson adds, that the cost of renewals is enormous. Were the system as productive and as satisfactory as it is in many instances notoriously the reverse, the existence of a double set of officers in one district would still, in the opinion of the Committee, be unnecessary and extravagant.

"10. Cases are not rare of trusts in which the whole produce of the tolls, after payment of the establishment charges, is absorbed in the payment of the interest of the debt, while arrears accumulate, and the whole burthen of the maintenance of the roads is thrown upon the parishes.

"11. This parochial burthen, contemplated by the existing law, and of inevitable incidence whensoever tollgates are removed in consequence of any trust being free from debt, will, in the opinion of your Committee, press unequally and unjustly on many small, poor,

poor, or peculiarly situated parishes, and they therefore recommend the adoption of a more extended area of rating, which might perhaps be coterminous with the highway districts.

"12. It will be observed that in the few instances in which the witnesses advocate the continuance of tolls, it is with a view to the maintenance of the roads, under the impression that those who use the roads should pay for them; indeed there is reason to fear, that in some cases efforts will be made to keep up a debt, in order that its existence might prevent the removal of the tollgates.

"13. Your Committee are far from saying that there may not be some districts in the north of England, or elsewhere, in which the abolition of tolls would be unsatisfactory; but they think such cases are exceptional, and that tolls should not therefore be continued generally over the whole country.

"14. Your Committee are of opinion that in all trusts free from debt whose Acts have expired (in number 113), tolls should at once cease, being no longer kept alive by the Continuance Act; but if one district being toll free, the adjoining district were subject to tolls, on account of the existence of a debt, much inconvenience would arise; not only would the people use by preference the untolled road, but it would be hard on those who were maintaining their own roads to be obliged to pay tolls as soon as they pass into another district.

"15. It becomes, therefore, desirable to examine the debt closely with a view to getting rid of it.

"16. From the annual return, as well as from the evidence of Mr. Leslie, it would seem that the debt of England and North Wales may now be taken at a sum but little exceeding 4,000,000 *l.* In the opinion of Colonel Pennant this amount might be reduced by 25 per cent., leaving it at about 3,000,000 *l.*, which sum, following the course adopted in South Wales, might be liquidated by an annual payment of, say, 12,000 *l.* a year for years.

"17. The county rate collected annually in England and North Wales amounts to nearly to which the annual payment above-mentioned would form but a very small addition.

"But if it were not deemed advisable to legislate for the whole country at once, power might be given to each county, through the magistrates in quarter sessions assembled, to deal with its own debt by mortgaging the county rate for the purpose of its extinction; adopting, to a certain degree, the plan which is being pursued in Scotland.

"18. The difficulty as to trusts not being coterminous with counties might be easily overcome; and, on the whole, your Committee is of opinion that the abolition of turnpike trusts is both expedient and practicable.

"Your Committee is further of opinion that in any fresh legislation provision should be made for the rating of minerals."

Question, That the proposed Report be now read 2°, paragraph by paragraph, put, and agreed to.

Paragraph 1.—Amendments made.—Paragraph, as amended, put, and agreed to.

Paragraphs 2 and 3, considered, and postponed.

Paragraph 4.—Amendment proposed, to leave out the words from the word "concur" to the word "and" in line 2, in order to insert the words "in the conclusion arrived at by the Committee of 1836, that the abolition of tolls throughout the kingdom would be beneficial to the community"—(Mr. *Dodson*)—instead thereof.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 7.	Noes, 8.
Mr. Alcock.	Mr. Baring.
Mr. Dodson.	Colonel Barttelot.
Mr. Fenwick.	Lord Henley.
Sir William Jolliffe.	Colonel Hussey Packe.
Mr. Mildmay.	Colonel Pennant.
Colonel Smyth.	Mr. Walter.
Colonel Stuart.	Mr. Western.
C	Mr. Wrightson.

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, at the end of the last amendment, to add the words, "They cannot withhold their expressions of regret at the difficulties that present themselves in the

substitution of any other mode of revenue available for that purpose"—(Colonel *Pennant.*) —Question put, That those words be there added.—The Committee divided:

Ayes, 3.	Noes, 12.
Colonel Barttelot.	Mr. Alcock.
Sir William Jolliffe.	Mr. Baring.
Colonel Pennant.	Mr. Dodson.
	Mr. Fenwick.
	Lord Henley.
	Mr. Mildmay.
	Colonel Packe.
	Colonel Smyth.
	Colonel Stuart.
	Mr. Walter.
	Mr. Western.
	Mr. Wrightson.

Amendment made, by leaving out the word "fully" in line 3.—Amendment proposed, to insert the words "to a great extent" before the word "realized," in line 3—(Colonel *Pennant*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 11.	Noes, 5.
Mr. Baring.	Mr. Alcock.
Colonel Barttelot.	Mr. Fenwick.
Mr. Dodson.	Lord Henley.
Colonel Gilpin.	Mr. Western.
Sir Wm. Jolliffe.	Mr. Wrightson.
Mr. Mildmay.	
Colonel Packe.	
Colonel Pennant.	
Colonel Smyth.	
Colonel Stuart.	
Mr. Walter.	

Amendment proposed, to leave out the words "with few exceptions," in order to insert the word "chiefly"—(Sir *W. Jolliffe*)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph, put, and negatived.

Question, That the word "chiefly" be there inserted, put, and agreed to.

Further amendment made.—Question, That this paragraph, as amended, stand part of the proposed Report, put, and agreed to.

Paragraph 5.—Question put, "That this paragraph stand part of the proposed Report." —The Committee divided:

Ayes, 9.	Noes, 2.
Mr. Alcock.	Lord Henley.
Mr. Baring.	Mr. Wrightson.
Mr. Dodson.	
Mr. Fenwick.	
Colonel Gilpin.	
Mr. Mildmay.	
Colonel Stuart.	
Mr. Walter.	
Mr. Western.	

Paragraph 6.—Amendment proposed, to leave out the words, "If, as the witnesses generally agree in stating," in line 1, in order to insert the word "wherever"—(Mr. *Baring*) —instead thereof.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 2.	Noes, 11.
Mr. Fenwick.	Mr. Alcock.
Mr. Western.	Mr. Baring.
	Colonel Barttelot.
	Mr. Dodson.
	Colonel Gilpin.
	Lord Henley.
	Sir William Jolliffe.
	Mr. Mildmay.
	Colonel Stuart.
	Mr. Walter.
	Mr. Wrightson.

Question, That the word "wherever" be there inserted, put, and agreed to.

Further amendments made.—Amendment proposed, to leave out the word "might," in line 3, for the purpose of inserting the word "would."—Question ,That the word proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 5.	Noes, 8.
Mr. Alcock.	Colonel Barttelot.
Mr. Baring.	Colonel Gilpin.
Mr. Dodson.	Sir William Jolliffe.
Mr. Fenwick.	Mr. Mildmay.
Lord Henley.	Colonel Stuart.
	Mr. Walter.
	Mr. Western.
	Mr. Wrightson.

Question, That the word "would" be there inserted, put, and agreed to.

Amendment proposed, to leave out the words "cheaply collected and economically"—(Sir *William Jolliffe*.)—Question, That the words proposed to be left out stand part of the paragraph, put, and negatived.

Question, That this paragraph, as amended, stand part of the proposed Report, put, and agreed to.

Paragraph 7.—Amendment made.—Amendment proposed, to leave out the words "to the smaller towns"—(Mr. *Dodson*).—Question, That the words proposed to be left out stand part of the paragraph, put, and negatived.

Paragraph 7, as amended, agreed to.

[Adjourned till Monday, at One o'clock, further to consider Report.

Lunæ, 6° die Junii, 1864.

MEMBERS PRESENT:

Mr. CLIVE, in the Chair.

Mr. Dodson.	Mr. Fenwick.
Lord Henley.	Mr. William Legh.
Colonel Pennant.	Colonel Smyth.
Mr. Walter.	Mr. Western.
Mr. Wrightson.	Mr. Alcock.
Colonel French.	Mr. Sclater-Booth.
Sir William Jolliffe.	Mr. Mildmay.
Colonel Barttelot.	Mr. T. G. Baring.
Colonel Hussey Packe.	Sir J. Fergusson.
	Colonel Gilpin.

Postponed paragraph 2.—Amendment proposed, to leave out all the words from the word "the," in line 1, to the end of the paragraph, for the purpose of adding the words "Commissioners of Roads for Scotland, where in several counties the system has been greatly improved by the establishment of Road Boards, who, by the consolidation of various trusts, or by the assessment of the county for the repairs and maintenance of the roads, and by the appointment of a competent surveyor for each county, have effected a material diminution of expense, which will lead to a speedy extinction of the existing debt, and a reduction both in the number and amount of tolls"—(Lord *Henley*)—instead thereof.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 5.	Noes, 9.
Colonel Barttelot.	Mr. Alcock.
Mr. Fenwick.	Mr. Dodson.
Mr. Legh.	Colonel French.
Colonel Pennant.	Lord Henley.
Colonel Stuart.	Colonel Packe.
	Colonel Smyth.
	Mr. Walter.
	Mr. Western.
	Mr. Wrightson.

Question, That those words be there inserted, put, and agreed to.

Paragraph 2, as amended, agreed to.

Postponed paragraph 3.—Question, That this paragraph stand part of the proposed Report, put, and negatived.

Amendment proposed, That the following paragraph be inserted instead of paragraph 3: "In Ireland the removal of the toll-gates has been effected by charging the repairs of the roads and the existing debt upon the rates of the counties and baronies, the roads having been submitted to the supervision of the county surveyors"—(Lord *Henley*).—Question, That this paragraph be there inserted, put, and agreed to.

Amendment proposed, That the following paragraph be inserted after the last paragraph: "In South Wales, where some years ago great dissatisfaction prevailed in consequence of the frequency and apparently unjust distribution of toll-gates, owing to the excessive number of trusts, great improvement has been effected by an Act of Parliament, which consolidated the trusts, regulated the number of toll-gates, and provided for the extinction of debt, by the advance of a sum of money out of the Consolidated Fund, to be repaid by terminable annuities of 30 years"—(Lord *Henley*.)—Question, That this paragraph be there inserted, put, and agreed to.

Paragraph 8.—Question put, That this paragraph stand part of the proposed Report.—The Committee divided:

Ayes, 9.	Noes, 7.
Mr. Dodson.	Mr. Alcock.
Lord Henley.	Colonel Barttelot.
Mr. William Legh.	Mr. Fenwick.
Mr. Mildmay.	Colonel French.
Colonel Pennant.	Colonel Hussey Packe.
Colonel Smyth.	Mr. Sclater-Booth.
Colonel Stuart (Bedford).	Mr. Western.
Mr. Walter.	
Mr. Wrightson.	

Paragraph 9.—Amendment proposed, after the word "enormous," in line 4, to insert the words, "this cost is, however, in some cases, defrayed out of the interest otherwise payable to the mortgagees"—(Colonel *Pennant*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.	Noes, 11.
Colonel Barttelot.	Mr. Alcock.
Mr. Mildmay.	Mr. Dodson.
Colonel Pennant.	Mr. Fenwick.
Colonel Smyth.	Colonel French.
Colonel Stuart (Bedford).	Lord Henley.
	Mr. William Legh.
	Colonel Hussey Packe.
	Mr. Sclater-Booth.
	Mr. Walter.
	Mr. Western.
	Mr. Wrightson.

Paragraph agreed to.

Paragraph 10 agreed to.

Paragraph 11.—Question put, That this paragraph stand part of the proposed Report.—The Committee divided:

Ayes, 7.	Noes, 10.
Mr. Dodson.	Mr. Alcock.
Mr. Legh.	Colonel Barttelot.
Colonel Packe.	Mr. Fenwick.
Colonel Pennant.	Colonel French.
Colonel Stuart.	Lord Henley.
Mr. Walter.	Sir W. Jolliffe.
Mr. Wrightson.	Mr. Mildmay.
	Mr. Sclater-Booth.
	Colonel Smyth.
	Mr. Western.

Amendment proposed, That the following paragraph be inserted instead of paragraph 11:—"Witnesses having generally concurred in stating that, owing to railways, the turnpike roads have ceased to be the main arteries of communication for the country, and are now used almost entirely for local purposes, in the same way that the highways are; the Committee is therefore of opinion that, in the event of the abolition of the turnpike system, the roads which are now turnpike roads should revert to the class of ordinary

ordinary highways, and be repairable by the parishes through which they pass"—(Mr. *Fenwick*).—Amendment proposed, after the word "parishes," in the last line, to insert the words "or highway districts"—(Mr. *Dodson*.)—Question, That those words be there inserted, put, and negatived.—Question put, That this paragraph be there inserted.—The Committee divided:

Ayes, 4.	Noes, 13.
Mr. Alcock.	Colonel Barttelot.
Mr. Fenwick.	Mr. Dodson.
Colonel French.	Lord Henley.
Mr. Wrightson.	Sir W. Jolliffe.
	Mr. Legh.
	Mr. Mildmay.
	Colonel Packe.
	Colonel Pennant.
	Mr. Sclater-Booth.
	Colonel Smyth.
	Colonel Stuart.
	Mr. Walter.
	Mr. Western.

Amendment proposed, That the following paragraph be inserted instead of paragraph 11: "This parochial burthen, contemplated by the existing law, and of inevitable incidence whenever toll-gates are removed, will, in the opinion of your Committee, press unequally and unjustly on many small, poor, or peculiarly situated parishes, and they therefore recommend the adoption of a more extended area of rating."—(Mr. *Walter*).—Question, That this paragraph be there inserted, put, and agreed to.

Amendment proposed, at the end of the last paragraph. to add the words "and they are further of opinion that the maintenance of these roads may be charged upon the county rate"—(Mr. *Western*).—Question put, That those words be there added.—The Committee divided:

Ayes, 4.	Noes, 15.
Sir James Furgusson.	Mr. Alcock.
Colonel French.	Mr. Baring.
Sir William Joliffe.	Colonel Barttelot.
Mr. Western.	Mr. Dodson.
	Mr. Fenwick.
	Lord Henley.
	Mr. William Legh.
	Mr. Mildmay.
	Colonel Hussey Packe.
	Colonel Pennant.
	Mr. Sclater-Booth.
	Colonel Smyth.
	Colonel Stuart.
	Mr. Walter.
	Mr. Wrightson.

Paragraph 12.—Question, That this paragraph stand part of the proposed Report, put, and negatived.

Paragraph 13.—Amendment proposed, after the word "tolls," to insert the words "under the existing state of the law"—(Colonel *Pennant*).—Question, That those words be there inserted, put, and agreed to.—Amendment proposed, to leave out from the word "exceptional," in line 3, to the end of the paragraph.—Question, That the words proposed to be left out stand part of the paragraph, put, and agreed to.—Question, That this paragraph, as amended, stand part of the proposed Report, put, and agreed to.

Paragraph 14.—Amendment proposed, to leave out from the words "your Committee" to the word "subject," in line four, in order to insert the words, "however, are of opinion that if in one district the turnpike system were to cease in consequence of the trusts within it being free from debt, and the adjoining district were to remain"—(Colonel *Pennant*)—instead thereof.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 7.	Noes, 10.
Mr. Dodson.	Mr. Alcock.
Colonel French.	Mr. Baring.
Lord Henley.	Colonel Barttelot.
Mr. Mildmay.	Sir James Fergusson.
Mr. Sclater-Booth.	Sir William Jolliffe.
Colonel Stuart.	Mr. William Legh.
Mr. Wrightson.	Colonel Pennant.
	Colonel Smyth.
	Mr. Walter.
	Mr. Western.

Question, That those words be there inserted, put, and agreed to.

Amendment proposed, at the end of the paragraph to add the words, "It is therefore essential that the compulsory removal of tolls shall take place simultaneously over the whole county or other extended area:"—(Sir *J. Fergusson*)—Question put, That those words be there added.—The Committee divided:

Ayes, 6.	Noes, 11.
Mr. Alcock.	Mr. Baring.
Sir James Fergusson.	Colonel Barttelot.
Lord Henley.	Mr. Dodson.
Mr. Mildmay.	Colonel French.
Colonel Pennant.	Sir William Jolliffe.
Mr. Western.	Mr. Legh.
	Mr. Sclater-Booth.
	Colonel Smyth.
	Colonel Stuart.
	Mr. Walter.
	Mr. Wrightson.

Question put, That this paragraph, as amended, stand part of the proposed Report.—The Committee divided:

Ayes, 7.	Noes, 10.
Mr. Alcock.	Mr. Baring.
Colonel French.	Colonel Barttelot.
Lord Henley.	Mr. Dodson.
Mr. Mildmay.	Colonel Gilpin.
Colonel Pennant.	Sir William Jolliffe.
Mr. Walter.	Mr. Legh.
Mr. Western.	Mr. Sclater-Booth.
	Colonel Smyth.
	Colonel Stuart.
	Mr. Wrightson.

Paragraph 15.—Question, That this paragraph stand part of the proposed Report, put, and negatived.

Paragraph 16, amended, and agreed to.

[Adjourned to Monday next, at One o'clock.

Lunæ, 13° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. CLIVE in the Chair.

Mr. T. G. Baring.	Mr. Fenwick.
Mr. Wrightson.	Mr. Western.
Mr. Walter.	Colonel Barttelot.
Colonel Stuart.	Sir William Jolliffe.
Colonel Gilpin.	Mr. Mildmay.
Mr. Sclater-Booth.	Colonel French.
Colonel Smyth.	Mr. William Legh.
Mr. Alcock.	Mr. Dodson.
Lord Henley.	Colonel Hussey Packe.
Colonel Pennant.	

Paragraphs 17 and 18 disagreed to.

Amendment proposed, That the following paragraph be added to the proposed report after paragraph 16:—"On the whole, your Committee are of opinion that the abolition of the present system of Turnpike Trusts is both expedient and practicable; but if it were not deemed advisable to legislate generally, power might be given to each county through the Magistrates in Quarter Sessions assembled to take measures for the extinction of the debt, by mortgaging the county rate, or by any other means, adopting either the Scottish system, or that pursued in South Wales"—(The *Chairman*).

Amendment

Amendment proposed, to insert the word "generally" before the word "practicable" —(Colonel *Gilpin*).—Question put, That the word "generally" be there inserted:—The Committee divided:

Ayes, 11.	Noes, 5.
Mr. Alcock.	Mr. Fenwick.
Mr. T. G. Baring.	Mr. Mildmay.
Colonel Barttelot.	Mr. Sclater-Booth.
Colonel Gilpin.	Colonel Smyth.
Lord Henley.	Mr. Western.
Sir William Jolliffe.	
Mr. William Legh.	
Colonel Pennant.	
Colonel Stuart.	
Mr. Walter.	
Mr. Wrightson.	

Further amendment made.

Amendment proposed to leave out from the word "means" to the end of the paragraph —(Mr. *Sclater-Booth*).—Question put, That the words proposed to be left out stand part of the paragraph:—The Committee divided:

Ayes, 5.	Noes. 12.
Mr. T. G. Baring.	Mr. Alcock.
Lord Henley.	Colonel Barttelot.
Colonel Pennant.	Mr. Dodson.
Mr. Western.	Mr. Fenwick.
Mr. Wrightson.	Colonel Gilpin.
	Sir William Jolliffe.
	Mr. William Legh.
	Mr. Mildmay.
	Mr. Sclater-Booth.
	Colonel Smyth.
	Colonel Stuart.
	Mr. Walter.

Question put, That this paragraph, as amended, stand part of the proposed Report:—The Committee divided:

Ayes, 8.	Noes, 10.
Mr. Alcock.	Mr. T. G. Baring.
Lord Henley.	Colonel Barttelot.
Mr. Mildmay.	Mr. Dodson.
Colonel Pennant.	Mr. Fenwick.
Colonel Smyth.	Colonel Gilpin.
Mr. Walter.	Sir William Jolliffe.
Mr. Western.	Mr. William Legh.
Mr. Wrightson.	Colonel Hussey Packe.
	Mr. Sclater-Booth.
	Colonel Stuart.

Amendment proposed, That the following paragraph be inserted after paragraph 16: "On the whole, your Committee are of opinion that the abolition of turnpike trusts as now existing would be both beneficial and expedient, and might be practicable, if the system adopted in Scotland or in South Wales could be acted upon in each county in England in North Wales"—(Sir *William Jolliffe*).—Question, That this paragraph be there inserted, put, and agreed to.

Amendment proposed, That the following paragraph be added to the proposed Report: "Your Committee are of opinion it may be worthy of consideration whether in all trusts free from debt power should not be given to the trustees to abolish turnpike gates, and impose the burden of maintaining the turnpike roads upon the parishes through which they pass"—(Mr. *Western*).—By leave, withdrawn.

Amendment proposed, That the following paragraph be added to the proposed Report: "Your Committee are of opinion that the valuation of the debt is an essential preliminary to the abolition of tolls"—(Lord *Henley*).—Question put, That this paragraph be added to the proposed Report:—The Committee divided:

Ayes, 6.	Noes, 7.
Mr. Alcock.	Colonel Barttelot.
Mr. T. G. Baring.	Mr. Dodson.
Colonel Gilpin.	Sir William Jolliffe.
Lord Henley.	Mr. Mildmay.
Colonel Stuart.	Colonel Hussey Packe.
Mr. Wrightson.	Colonel Pennant.
	Mr. Western.

Amendment proposed, That the following paragraph be added to the proposed Report: "Your Committee are of opinion that, pending the abolition of the present system, atten-

tion might with advantage be directed to the circumstances of the several trusts whose Acts are continued from year to year by the Annual Continuance Act; and if it should be found that the power of Parliament might be beneficially exercised in order to provide for the more speedy extinction of the debt of any trust, to secure a full consideration of the propriety of abolishing trusts that are free from debt (now amounting to more than 100), or to obtain economy of management by the consolidation of several trusts, your Committee suggest that such trusts should be excluded from the operation of the Continuance Act, and be obliged to come to Parliament for a renewal of their Acts"—(Mr. *Baring*).—Question put, That this paragraph be added to the proposed Report.—The Committee divided:

Ayes, 9.	Noes, 4.
Mr. T. G. Baring.	Mr. Alcock.
Mr. Dodson.	Colonel Barttelot.
Colonel Gilpin.	Lord Henley.
Mr. Mildmay.	Sir William Jolliffe.
Colonel Hussey Packe.	
Colonel Pennant.	
Colonel Stuart.	
Mr. Western.	
Mr. Wrightson.	

Question, That this Report, as amended, be the Report of the Committee to the House, put, and agreed to.

Question, That the Minutes of Evidence taken before the Committee, and Appendix, be reported to the House, put, and agreed to.

Ordered to Report.

EXPENSES OF WITNESSES.

Name of Witness.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and Back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
George F. Newmarch	Solicitor	Cirencester	2	2 8 –	4 4 –	6 12 –
Hon. and Rev. G. Talbot	Clerk	Cheltenham	2	4 – –	2 2 –	6 2 –
John F. Fox	–	Devizes	1	1 12 –	1 1 –	2 13 –
John Wood	Merchant	Epsom	1	– 4 –	1 1 –	1 5 –
Rev. Edward Higgins	Clerk	Ledbury	3	2 12 –	3 3 –	5 15 –
John Lees	–	Reigate	1	– 9 –	1 1 –	1 10 –
John Kelly	Civil Engineer	Roscommon and Dublin.	15	7 13 –	15 15 –	23 8 –
H. W. Litler	Solicitor	Oldham	7	4 6 –	14 14 –	19 – –
George Macefield	Solicitor	Ledbury	4	2 12 –	8 8 –	11 – –
Rev. E. J. Howman	Clerk	Downham Market.	2	2 – –	2 2 –	4 2 –
George Robson	Mayor of Durham.	Durham	4	5 2 6	4 4 –	9 6 6
Rev. William Peach	Clerk	Chesterfield	3	3 7 –	3 3 –	6 10 –
James Watkins	Solicitor	Bolton	3	– –	6 6 –	6 6 –

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

Jovis, 14° *die Aprilis*, 1864.

Francis Seymour Leslie, Esq. - - - - - - - - - - p. 1
Colonel Pennant, M. P. - - - - - - - - - - p. 4
George Frederick Newmarch, Esq. - - - - - - - - - p. 9
G. K. Rickards, Esq. - - - - - - - - - - p. 15

Lunæ, 18° *die Aprilis*, 1864.

Alexander Macduff, Esq. - - - - - - - - - - p. 18
The Hon. and Rev. Gustavus Talbot - - - - - - - - p. 24
John James Fox, Esq. - - - - - - - - - - p. 27
John Edwin Bradfield, Esq. - - - - - - - - - p. 29
John Wood, Esq. - - - - - - - - - - p. 38

Jovis, 21° *die Aprilis*, 1864.

The Rev. Archer Clive - - - - - - - - - - p. 40
The Rev. Edward Higgins - - - - - - - - - p. 45
John Lees, Esq. - - - - - - - - - - p. 49

Jovis, 28° *die Aprilis*, 1864.

Colonel Pennant, M. P. - - - - - - - - - - p. 53
John Kelly, Esq. - - - - - - - - - - p. 53
James Watkins, Esq. - - - - - - - - - - p. 59
The Rev. William Peach - - - - - - - - - - p. 66
John Henry Scourfield, Esq., M. P. - - - - - - - - p. 71

Lunæ, 2° *die Maii*, 1864.

Henry William Littler, Esq. - - - - - - - - - p. 75

Jovis, 5° *die Maii*, 1864.

William Ferrand, Esq., M. P. - - - - - - - - - p. 83
George Burrow Gregory, Esq. - - - - - - - - - p. 90

Lunæ, 9° *die Maii*, 1864.

William Bird, Esq. - - - - - - - - - - p. 95
George Masefield, Esq. - - - - - - - - - - p. 97
George Burrow Gregory, Esq. - - - - - - - - - p. 101
The Rev. Edward John Howman - - - - - - - - - p. 101
George Robson, Esq. - - - - - - - - - - p. 103
Frederick Ellman, Esq. - - - - - - - - - - p. 107
Sir Joseph Paxton, M. P. - - - - - - - - - - p. 111

Jovis, 26° *die Maii*, 1864.

Frank James, Esq. - - - - - - - - - - p. 118
Rev. John Wrey - - - - - - - - - - p. 122
The Rev. Archer Clive - - - - - - - - - - p. 125
William Battie Wrightson, Esq., M. P. - - - - - - - - p. 126

Jovis, 2° *die Junii*, 1864.

Colonel Pennant, M. P. - - - - - - - - - - p. 134

MINUTES OF EVIDENCE.

Jovis, 14° die Aprilis, 1864.

MEMBERS PRESENT:

Mr. Alcock.
Colonel Barttelot.
Mr. Bruce.
Mr. Clive.
Mr. Dodson.
Mr. Fenwick.
Colonel French.
Lord Henley.
Sir William Jolliffe.
Mr. William Legh.
Mr. Mildmay.
Colonel Hussey Packe.
Colonel Pennant.
Colonel Stuart (Bedford).
Mr. Walter.
Mr. Western.
Mr. Wrightson.

GEORGE CLIVE, Esq., in the Chair.

FRANCIS SEYMOUR LESLIE, Esq., called in; and Examined.

F. S. Leslie, Esq.
14 April 1864.

1. *Chairman.*] You are, I think, an Officer in the Home Office?—I am a Senior Clerk in the Home Office.

2. Are you in the department of Turnpike Trusts?—That department has been under my charge for the last four years.

3. Under whose charge was it before that?—Under Mr. Redgrave.

4. For how many years did he have that department under his charge?—From 1853, when the Turnpike business was removed to the Home Office, after the death of Mr. McAdam, who had succeeded his father, Sir James McAdam, at the Roads Office.

5. He has retired, I suppose?—He has retired.

6. This Committee has before it the Report of the Committee of 1836 on Turnpike Trusts and Tolls. What we desire to have from you is information with regard to the result since that time. Can you produce an abstract of the General Income and Expenditure of Turnpike Trusts for the year 1861?—It is not ready for that year.

7. The year 1860 is the last, then?—The year 1860 is the last that has been printed; the other is in course of being prepared.

8. Will you be so good as to tell the Committee in what state the debt is now?—The Returns for the year 1860 showed the mortgage-debt to be 4,688,134 *l.*

9. Do you know what it was in the year 1837?—In the year 1837 it was 7,011,989 *l.*, exclusive of South Wales; including South Wales it amounted to 7,068,275 *l.*

10. And now what would it be?—The last account showed that it was 4,688,134 *l.* At that date the remaining debt on South Wales was 134,149 *l.*

11. Does that include South Wales or not?—It does not; it is for England and North Wales.

12. Will you inform the Committee what the operations of your department in the Home Office are with regard to Turnpike Trusts?—The first Act giving the Secretary of State control in the matter is the 3 & 4 Will. 4, c. 80.

13. What is the date of that Act?—21st August 1833.

14. That was before the Report of the Committee which we have before us?—Yes. The Act of 1822 (the General Turnpike Act, the 3 Geo. 4, c. 126), required the Clerks of Trusts to transmit Statements of Accounts to the Clerks of the Peace of the different counties, but not to the Secretary of State. The Act of 3 & 4 Will. 4, c. 80, required the accounts to be made up annually to the 31st December, and copies of them to be sent to the Secretary of State, under whose directions they are to be revised and abstracted, and the abstract presented to Parliament.

15. The last Return is the one which the Committee have now before them?—Yes; that is the last Return. The first was presented in 1836, being for the year 1834.

16. How do you account for the fact that there has been no Return since that of the year 1860?—The accounts have always been in arrear from the very first; and that arises from the difficulty, in the first place, of getting the Returns completed, and afterwards from the labour and time required in abstracting them.

17. Colonel *French.*] The debt was 9,000,000 *l.*

F. S. Leslie, Esq.

14 April 1864.

in the year 1836, and it is reduced now to 4,688,000 *l.*?—Yes; but I think that the statement of 9,000,000 *l.* was rather exaggerated.

18. Colonel *Pennant.*] There is a discrepency in the Return from the Home Office, you think? The highest amount of bonded debt shown in the annual statements is 7,266,049 *l.* That was in 1840, and includes South Wales. The accounts for 1841 showed the total debts to be 8,818,846 *l.*; but that amount included 1,285,246 *l.* of unpaid interest, and 276,357 *l.* of floating debt and balances due to Treasurers, against which there were assets to the amount of 351,624 *l.* The reduction of the debt since 1837, as shown by the statements of account, amounts to 2,323,855 *l.*

19. *Chairman.*] Then what is the course that the Home Office pursue after they get the Return?—The next Act under which power is exercised by the Secretary of State is the 14th and 15th Vict. cap. 38. Under that Act the Trustees of Turnpike Trusts were authorised after due notice given, and with the consent of two-thirds at least, in amount, of the mortgagees, to apply to the Secretary of State for a Provisional Order for the reduction of the rate of interest and the extinction of arrears. That Act was extended by the 23 & 24 Vict. c. 73, and by the 24 & 25 Vict. c. 46, passed in the years 1860 and 1861, respectively, to cases of all trusts, the Acts of which are continued by the Annual Continuance Act. I should mention the Continuance Acts, by which all expiring trusts are continued. These Acts are passed annually, and they continue all trusts for a year to the 1st of October or the 1st of November, and to the end of the next following Sesssion, except Acts intended to expire, which are specially named in the Continuation Act, and except the Acts placed in the Schedule, which are continued only for a year. The Act of 1862, for instance, would continue all other Acts up to the 1st of November 1863, and to the end of the next following Session, but those Acts in the Schedule only to the 1st of November 1863. After the passing of the Act, the practice is to send a circular to all the trusts named in the Schedule, giving them notice that, unless they take steps either to renew their Acts in the following Session or in the meantime to make terms satisfactory to the Secretary of State, their trusts will be allowed to expire.

20. And that course, I suppose, is regularly pursued every year?—That course is pursued every year. Under that Act about 160 trusts have been arranged by the Secretary of State since the year 1851.

21. Will you kindly explain what you mean by the word "arranged" in your last answer?—The rate of interest being reduced and the arrears extinguished. The title of the Act is, "The Act to facilitate arrangements for the Relief of Turnpike Trusts, &c."

22. And sometimes there is an alteration in the number of officers, is there not?—The attention of the Trustees is occasionally called to that point, and also to the rate of salaries.

23. To the more economical management of the trust, in fact?—Yes. The Returns will show that since the year 1850 up to 1862, inclusive, there have been 423 trusts upon which debt has been extinguished to the amount of 346,462 *l.*, with arrears of interest to the extent of 1,178,256 *l.* Where the debt has been extinguished those are chiefly cases where the trusts have applied to Parliament for a renewal of their Acts. There are only about 160 trusts which have been arranged under the sanction of the Secretary of State, that is to say where provisional orders have been granted. There are other cases in which the rate of interest has been lowered and arrears extinguished with the consent of all the creditors, under which circumstances a provisional order is not required.

24. Have you anything further to add for the information of the Committee upon that point?—I have estimated the amount of the debt at present, and, taking into account the annual reduction which is made, I reckon it to be about 4,350,000 *l.*

25. That is the debt at present?—That is the debt at present; I presume that it would be about that amount.

26. I thought you stated that it was 4,688,000 *l.*?—That is the amount shown in the Return for the year 1860.

27. The 4,350,000 *l.* is what you think it will be now?—Yes, for the year 1864.

28. Therefore it is still above 4,000,000 *l.*, even now?—Yes; there is no doubt that it is upward of 4,000,000 *l.*, but etimating it to the present time at 4,350,000 *l.*, and valuing it at 75 per cent. of that amount, which is probably more than it is worth, it would only amount to 3,262,500 *l.*

29. You say that you estimate that for the year 1864 there will be a still further reduction of 200,000 *l.* and upwards?—Yes, about that amount.

30. Have you any idea at what rate that reduction is likely to go on; is it likely, in your opinion, to go on at the same rate?—Hardly, I should think, because the worst trusts have been already dealt with.

31. Therefore, the reduction may be expected to proceed more slowly every year?—Probably that will be so. As regards the extinction of debt upon the trusts which come before the Committees for renewal of their Acts; but the trust funds applicable to the payment of debt must increase annually by the saving of interest in the amount of debt paid off, and by the further reduction of interest which may be effected under the Arrangement Act.

32. Colonel *Hussey Packe.*] How many trusts are there altogether?—About one thousand and eighty-five. Of about 550 of these the local Acts have not expired, leaving about 535 dependant on the Continuance Act for the present year.

33. And out of that number there are only 42 trusts that are out of debt; is that so?—The number of trusts in the year 1860 free of debt was only 153, with a toll income of 215,528 *l.*; therefore the number of trusts that remained at that date with bonded debts was 942. The toll income on the latter was 827,657 *l.*

34. From what source do you take that information?—From the last General Report 1863, founded on the annual statement of accounts.

35. Colonel *Pennant.*] I think that in one previous Report the debt was made up by Counties.—Yes, in the Report for 1858.

36. That is not shown in the Report for the year 1860, is it?—No; I think we have not got in the Report of that year; but it is shown by counties in the annual statements of accounts.

37. Mr. *Bruce.*] Can you state to the Committee what is the practice of the Home Office with regard to trusts whose Acts have expired

nd whose debt is extinguished?—They are con-
inued by the annual Act.

38. Is that always the case?—Yes, unless in
particular instances.

39. Under what circumstances are the trusts
xtinguished?—There was one very remarkable
ase, which is mentioned in the General Report
f 1863, where the Trustees failed to give a satis-
actory account of their affairs, and declined to go
o Parliament for a renewal of their Act. There
s another case mentioned in the same Report, in
hich neither the mortgagees in possession nor
he owners of certain subscribers' debts were
illing to apply to Parliament for a renewal of the
ocal Act.

40. But are the trusts not sometimes ex-
nguished, where the debt is already paid,
ither on the application of the Trustees, or where
he parishes through which the roads pass show
desire that the trusts should be so extinguished?
-Yes; the Acts are allowed to expire under
uch circumstances, all parties consenting that the
rust should cease.

41. Has it not frequently been the practice of
he Home Office to continue trusts, although the
ebt has been extinguished, provided it appeared
be the prevailing wish of the parish through
hich the road passed that the trust should be
ontinued?—They are always continued under
ose circumstances. There is a Bill now before
he House of Lords, brought in by Lord Romney,
hich proposes that all trusts should be allowed
expire as soon as they are clear of debt.

42. *Chairman.*] You mean the Bill provides
at the tolls should no longer be kept up for the
rpose of the repair of the roads alone?—Yes;
at the roads should be thrown on the parishes
tirely, and the trusts abolished.

43. Mr. *Bruce.*] You stated that since the
ar 1851 the affairs of 160 trusts have been
ranged?—Yes, about that number.

44. You mean by that, I presume, that a por-
on of their capital, consisting of arrears of inte-
st, had been extinguished, and that arrangements
ere made with regard to the reduction of the
terest upon the remainder?—Yes; arrears of
terest extinguished, and the rate of interest
wered. The conversion of arrears of interest
to capital is illegal, according to an opinion of
e Law Officers, given some years since.

45. I think you said also that 423 trusts had
en dealt with by Committees, and their debts
tinguished?—I think that 423 includes both
asses, those dealt with by Committees and those
ranged under sanction of the Secretary of State.

46. But in the first case the debt had only
en reduced, and not extinguished; I mean in
e case of the 160 trusts which you have referred
?—Yes; the mortgage debt would remain on
ose trusts. The Secretary of State has no
wer to extinguish mortgage debts.

47–8. Are you sure that with regard to the re-
inder, the 423 trusts, the debt was extinguished
all cases; or (to put the same question in another
y) would it not be competent for a Committee
fore whom the affairs of a trust were brought
ich were not arranged by the Home Office to
ntinue a portion of their debt?—Yes. It is
t that the whole debt of those trusts was ex-
guished, but that a certain amount of their debt
s extinguished.

49. There are only 160 trusts that are abso-
ely free from debt?—Yes, about that number.
ly a certain amount of the debt of the 423
0.56.

trusts was extinguished; that is to say, to the amount of about 346,000 *l.*

F. S. Leslie, Esq.

14 April 1864.

50. You have stated that the extinction of debt in the last three years was about 330,000 *l.*?—At least that amount has been applied to the payment of debt by the different trusts. The amount shown in the accounts for 1860 as "Bonded Debt paid off" is 135,973 *l.*

51. Do you think that in future the annual average of extinction will be maintained at that rate?—I think that probably it will be less, as I have already endeavoured to explain; marking the distinction between debt extinguished and debt paid off.

52. Can you state at all in what proportion it is likely to decrease?—No; I have no means of judging of that. Under the "Holyhead Road Relief Act, 1861," a considerable amount of debt was abandoned. By the abolition of the Great Dover-street Trust, a debt of upwards of 34,000 *l.* was struck off. Such reductions are not likely to take place frequently. It is true, the Kentish Town Junction Trust, a Bill for the continuance of which has been thrown out this Session, now awaits extinction, with a debt of 21,974 *l.*

53. Mr. *Walter.*] Have you any means of furnishing the Committee with a return of the actual debt existing in each separate county?—That is shown in the annual statements of accounts laid before Parliament.

54. Are the trusts conterminous with the counties, or do they run into each other?—They sometimes run into different counties.

55. Colonel *Pennant.*] Is there not one alteration in the law since the year 1837 which has not been mentioned by you, and which is the restriction of the power to borrow fresh sums of money?—That has not been adverted to.

56. That alteration has taken place since the year 1837, has it not?—Yes, no trust can now borrow money on the security of the tolls without the sanction of the Secretary of State; that is by the 17th and 18th Vict., c. 58 (1854). This enactment does not apply where power is given by a local Act to borrow a limited sum for a specific object.

57. Lord *Henley.*] With regard to this reduction of the debt since the year 1837, which you put at 2,323,000 *l.*, has the reduction been always made by paying off the mortgagees 20 *s.* in the pound?—No, the state of a trust must be exceptionally good where the full amount is paid; there are instances, I believe, of 30 per cent. being accepted; 50 per cent. is not uncommon.

58. What are the terms on which the reduction has been made?—There is an Act of Parliament, which I have not yet mentioned, by which trustees may apply money in hand to the creditor who shall accept the local composition.

59. When was that Act passed?—In 1849; it is the 12th & 13th Vict. c. 87.

60. Had the reductions in the rate of interest that you spoke of, been made before that Act was passed?—The rate of interest is reduced according to circumstances, in cases of trusts that come for arrangement before the Secretary of State under the Act of 1851.

61. After the rate of interest is reduced, the mortgagees are allowed to bid for the debt?—In any case where there are funds in hand for the reduction of the debt, the creditors may bid for it.

62. With regard to the 1,085 trusts remaining, which you spoke of, does that include all the

F. S. Leslie, Esq.

14 April 1864.

trusts in England and North Wales, have not some merged altogether into parish roads?—That number is the number of trusts actually existing in England and North Wales at present.

63. That is all, is it?—The whole number, as nearly as I can state it, at the present time; there may be two or three more or less.

64. Do you mean that the 423 are turnpike trusts, which are retained only for the purpose of repairs?—No; it is not that the whole debt has been extinguished on them, but only certain amounts; the number of trusts which are free from debt, is only about 160.

65. What is the number of turnpike gates?—That is not ascertained.

66. Can you give the Committee the number of trusts that have been converted into parish roads?—I have not a statement of that, but it is easily obtained.

67. And you might add to that the proportion of trusts in which the debt has been paid in full?—In 1854 there were 1,112 trusts; in 1860 there were 1,095 trusts, therefore the difference between those would be the number which have been converted in parish roads, between those dates. With regard to the last question, I have already stated that the number of trusts free of debt is about 160; but I do not think it possible to ascertain on how many of those the debt has been paid in full.

68. Have there been any new trusts created since the first date which you have given to the Committee?—There have, no doubt, been a few, but very few.

69. But in the last 10 years there have not been more than 15 or 16 converted into parish roads, or extinguished; is that so?—Probably more than that; from 20 to 30.

70. *Chairman.*] Could you give the Committee any estimate of the proportion of those debts that have been paid in full?—No; I could not.

71. Colonel *Trench.*] Are there not certain trusts that have not paid anything, either in principal or interest, towards the reduction of the debt?—There are some trusts on which the interest has been reduced to a nominal amount of 1 *d.* per cent., and many on which there is a large accumulation of unpaid interest; many also o which the debt remains unreduced.

72. You say that you do not consider that i future the reduction of the debt will go on at th same rate as hitherto; that is, I suppose, becaus the trusts that have not paid up are the lea solvent of the trusts that were in existence at th time?—Yes.

73. The worst trusts have been disposed of?—Yes, generally speaking.

74. *Chairman.*] And the best remain?—Ther are still trusts in a bad condition which have no yet come under revision, their Acts not havin expired.

75. Colonel *Trench.*] By the law of Englan the parishes are obliged to keep up the repairs o the roads, in case the money at the command of th trust is not sufficient to do it?—Yes; the trustee on application to the justices of the peace, ma have an order made for a certain amount, to b contributed from the highway rate, to be laid ou on such part of the turnpike road as lies withi the parish from which the money is received.

76. *Mr. Mildmay.*] You stated, I think, tha where the debt of the trust is extinguished, th Turnpike Act is not renewed. If the inhabitan wish it to expire must they signify that b opposing the Act of Parliament, or is there an less expensive way of doing it?—On their appl cation to the Secretary of State the Act may b excepted for the Continuance Act, and allowe to expire, all parties concurring, without expens to anyone.

77. You also said that the amount of th bonded debt is 4,000,000 *l.* and upwards; doe that sum represent the whole debt, or is ther anything else?—There is a large amount of un paid interest.

78. What is the amount of unpaid interest?—As shown in the accounts for the year 1860, it 759,983 *l.*

79. Mr. *Dodson.*] Therefore the real amount o the indebtedness is upwards of 5,000,000 *l.*?—Yes, if you consider that that is part of it which not secured, and which the trusts have no pros pect of being able to pay.

COLONEL the Honourable E. G. DOUGLAS PENNANT, a Member of the Committee; Examined.

Colonel Hon. *E.G.D. Pennant.*

80. *Chairman.*] WILL you be kind enough to inform the Committee on what principles Committees of the House of Commons have habitually proceeded in dealing with Bills relating to Turnpike Trusts?—I may, perhaps, say that I have been chairman for a considerable number of years of one of the Committees before which, in the House of Commons, all Road Bills have been brought, and although, perhaps, in every respect, the chairman of the other Committee and myself did not agree on certain points, we have been carrying on those Committees on the same principles, and we have consulted with each other on many occasions. Now, as some of the members of the Committee were not in the room when the last witness gave his evidence, with regard to the practice of the Home Office, it will be as well for me to go over some of those points which they may not have heard. The Committee are probably aware that all the accounts of every trust are, by Act of Parliament, forced to be sent to the Home Office every year. The practice has been that those trusts, the Acts of which have expired and which are unwilling make with their creditors such arrangement will give a prospective gradual liquidation of the debts are communicated with by the Home Offic If they find that the trustees and the mortgage cannot agree on terms, or if there are any recom mendations from the inhabitants which requi special notice, those Acts are put into th schedule of the Continuance Act; the cons quence is, that their power of levying toll wou cease at the end of the year, unless renew again by Parliament. Those trusts are referr by the House of Commons to two distinct Com mittees, the Chairmen of which have been pe manent. The object has been the gradual liqu dation of the debt, both with the Home Offi and Parliament too. The practice of the Com mittees has been in the first instance to study t nature of the trust on the map, to the circu stance of the roads, the traffic, and especially t points which refer to any particular town populous district. They then inquire into t amount of the debt, and the origin of the deb becau

because it very often happens that the debt has originated in different ways (for instance, that landowners have subscribed the money, and have been benefited by the making of the road), and therefore that there are different obligations, varying in degree. In some cases, the debt is owing to persons who have no interest in the road. I can remember some cases where the debt was relinquished personally by two noblemen, whose estates had been very much benefited by the road. The Committees then proceed to hear evidence upon the probable future amount of the income of the trusts, and having ascertained whether there is any probability of anything to affect that income by fresh railways or competing roads, they then calculate the probable income. Then they ascertain, as far as possible, what those debts can be sold at, as a marketable value; because, owing to the insecurity and insolvency of many trusts, the market value has been very much below the actual amount of the debt, and that also varies very much in degree in different trusts.

81. Have you any means of finding out in each case where the debt is residing, or who the creditors are?—Yes, because we always call for a list of the mortgagees.

82. Can you tell when the creditors are changed?—Yes; the schedule showing the bondholders, that is the mortgagees, generally shows where the bond originated, and that the representatives are so and so. And also we have the books of the trust brought before us, which show the transfers of the bonds; and so we arrive at the current marketable value of those bonds, and we so get at the real value of the debt in a great degree.

83. There is no real difficulty in getting at the actual value of the debt in any case?—Sometimes there is a little concealment, but generally speaking we can get at pretty nearly the marketable value of those different bonds. Then, having ascertained that, we endeavour to make as fair a compromise as we can between the mortgagees who have advanced their money upon the security of the Acts of Parliament; and I must say this, that when the old Acts were passed there was an understanding throughout the country (and I believe there was something in the Act of Parliament which implies it) that that security should be kept up by the country in future, and I was rather surprised that the diminution of the interest should be taken so quietly. I spoke to the late Sir George Cornewall Lewis on the subject, and his answer was that Parliament cannot bind future Parliaments, and that, therefore, it was a terminable security, so that they had nothing to complain of. The object being to reduce it by a fair compromise, we take the interest of the mortgagees on the one side, and we take the interest of the parishes on the other. It very often happens that the road is in such an insolvent state that the parishes are, under the common law liability which still exists on turnpike roads, liable still to the maintenance of the roads in various degrees. We always take the circumstances into account with regard to the contribution from the parish, if any; and then we take into consideration the public, as to the amount of the toll paid, and we make as fair a compromise as we can between the interest of the mortgagees on the one side, the interest of the parishes on the other side, and the interests of the public also, and we then insist upon the mortgagees taking a lower rate of interest. Having calculated the income, and having calculated the expenditure, we take the expenditure from the surveyor for keeping the road in repair, and we separate all the items of expenditure; we then lay down particular sums which are not to be exceeded by the trustees in particular departments for salaries, and law expenses, and for repairs, and a certain sum for interest, and we keep a margin so much within the income as to have a surplus for the ultimate liquidation of the debt; and also we take care that paying turnpike gates (of course it does not matter when a man has merely to drive between two posts) shall be placed within a reasonable distance of each other, acting upon the South Wales consolidation principle. With regard to the liquidation of the debt, I differ a little from the last witness. It is true, the worst trusts were brought before Parliament first, but there are more trusts every year coming under this liquidation of the debt; they are contributing their share towards the liquidation, and, therefore, I doubt whether the amounts do diminish; I think that for the last three years the payment of the debt has been increasing, and I think there will still be an increase rather than a diminution in consequence of the increased number of trusts coming before those Committees.

84. You spoke of a gradual liquidation of the debts; can you give the Committee any idea of the time in which you might hope to get rid of them altogether?—That is a question which I cannot answer off-hand with any accuracy at all.

85. Mr. *Bruce.*] Do you often refuse to renew an Act when you find that the circumstances of the trust are such as to make the payment of the debt utterly hopeless?—I think where the debt is *bonâ fide* established, we always consider it a duty not to sacrifice that debt and break faith with the mortgagees. We have, in some instances, thought it advisable, with the sanction and at the wish of the parish, that the whole of the repairs should be thrown upon the parish for a certain time, handing over the whole income to the liquidation of the debt, in order to get rid of the trust; and we have often, in renewing the term, limited the time of its being a turnpike road to the liquidation of the debt.

86. Do you in that case fix the time?—In those cases we make the duration of the Act depend on the liquidation of the debt, and after that the road ceases to be a turnpike road, and no more tolls are collected; that has been frequently done. The Committee must remember this, that every renewal of a Turnpike Act causes a considerable expense, and therefore it would not be fair to renew the Act for very short periods, unless they intended to discontinue the turnpike road altogether.

87. What is the lowest rate of interest which you have sanctioned?—I think, in one instance, 1 *d.* per cent.

88. In such a case the object of the renewal of the Bill is simply the extinction of the debt without interest, I suppose?—Yes, that frequently happens. I have often granted the payment of a debt without interest at all; but generally speaking, that has been where the parishes had been almost entirely repairing the roads.

89. Does it ever happen that you renew the Acts where the debt has been extinguished?—No, they are never brought before Parliament, because

Colonel Hon. *E.G.D. Pennant.*

14 April 1864.

because in those cases the Home Office generally put them into the Continuance Act.

90. You heard from the last witness that it was the practice of the Home Office, unless there was a general concurrence among the trustees of the parish, to the contrary, through which the turnpike road passes, to continue the Act?—Yes. For the suggestion of the Wisbeach Clause the Home Office to Mr. Wrightson's Committee. It provides for the paying off of the bonds to the lowest bidder, which was afterwards extended to all trusts in England by Act of Parliament. Under the operation of that clause, as far as I can gather, the debt is usually paid off at 75 per cent. There was a turnpike trust in my own county, which was a very large trust, extending over the whole of the county, and the debt of that was 22,000 *l.* for a great many years. About eight or nine years ago I told the trustees that their Act of Parliament would expire in the year 1863, and that if they did not set their house in order it would be brought before one of those Committees, and things would be overhauled.

91. It is your opinion then that if the entire debt of 4,350,000 *l.* were dealt with at this moment, it would represent a value of three-fourths?—Yes, I think that would be the average. In this trust which I have alluded to, although the debt had remained at 22,000 *l.*, we have reduced that debt to about 9,000 *l.*; we have been paying it off annually at 1,500 *l.* on the average for the 1,000 *l.* in each year. The bondholders very often wish to get their money out to embark it in other speculations when one man will take 75 *l.* for 100 *l.*, and another will take 80 *l.* for 100 *l.*

92. *Chairman.*] You find that they are more likely to do that after you reduce the interest?—Of course. But it is just to the Committees to say this, that as far as we have learnt, the marketable value of bonds has never been decreased since those Committees first commenced their operations. They have been always sold afterwards at rather a higher rate than before, owing to a renewed security being given for a term of years.

93. Supposing that from any place a sum of money was forthcoming sufficient to pay off the bonded debt, there would be no difficulty in getting at the real value, would there?—I think not, by inspection of the books.

94. A Committee of this House would be able to get at it?—Yes.

95. Mr. *Alcock.*] What rate of interest had the trust you last mentioned been paying?—They had been paying 5 per cent. interest, but the Act expired last year, and it was put into the Continuance Act at 4 per cent., which they have since been paying.

96. Mr. *Walter.*] I presume that in cases where part of the expense of repairing the road is thrown upon the parish, no part of the interest is paid?—Most of the old Acts put the interest first. Now in the renewed Acts you will always find there is a statement of how the moneys are to be applied.

97. Then the Committee are to understand from that answer, that in most cases the interest is a first charge on the trust?—Nearly first.

98. So that the contribution of the parishes would supplement the deficiency of the receipts for the purpose of keeping the road in repair, and not for the purpose of paying the interest?—Yes, not for paying the interest.

99. I understood you to draw a distinction between paying toll-gates and non-paying toll-gates?—Yes.

100. But is any gate allowed to be put up except for the purpose of intercepting traffic that comes into the turnpike road by some cross road?—Yes; the trustees can place gates where they choose, because the particular traffic varies so. The traffic may come in by the establishment of a railway or station, and the direction of the traffic may be so varied that the trustees have never been hampered by us, except in those cases where, under the renewed Act, we continually say, "You shall not put a paying gate within such and such a distance."

101. But still a passenger along that road would be required to stop and show his ticket, and that would cause some obstruction to the freedom of the traffic?—Yes. I may also say that in many cases it has been the practice of the Committee, where there was any particular reason, as in the neighbourhood of a town where there was a short traffic, to prevent their taking above a half or quarter toll for that portion of the road.

102. Is there any return showing the number of toll-gates as distinguished from the number of trusts?—No, I think not; and I do not think you depend on it if there were, because it would be liable to vary every day. You have it in each trust that is brought before you. The annual reports show that.

103. It would be valuable, would it not, to have such a return, as showing the amount of nuisance occasioned by those gates in obstructing the traffic and compelling people to stop?—I do not think that the obstruction is very great except in the neighbourhood of towns; I think that the traffic along the roads is hardly obstructed by gates unless people stop to pay.

104. Are not the gates usually kept locked at night?—There is not much in that I think.

105. Lord *Henley.*] I wish to ask you about the cases where the tolls have been found insufficient to pay the interest of the debt, or even the repairs of the roads, and where the whole expense, or nearly the whole expense, has fallen on the parish; in those cases the mortgagees must be getting very little interest, or none at all on their debt?—No; of course the interest which has been paid has varied to a very great degree; but in those cases the mortgagees would get all of that which was collected as tolls.

106. But we have heard of a case where the interest was 1 *d.*?—That was in an Act of Parliament which had been resettled by a Committee, and the mortgagees were being paid off their debt, but they were only allowed to charge that interest.

107. But supposing that a man only gets 1 *d.* per cent., you would not pay him 20 *s.* in the pound?—No, but then the lowest bidder would come in.

108. Can you inform the Committee at what rate some of these debts have been paid of?—I cannot charge my memory, but I think that the average was about 75 per cent.

109. But that seems very high in comparison with the amount of interest which you have mentioned?—That was one particular case; it was really a case where no interest was paid at all.

110. But then that debt ought to be paid off at a very low rate indeed?—I suppose it would; but then it would in some degree depend upon the number of competitors, because, if it were one

person

person only, he would be very likely to say, "No, I will not take less than 100 *l.* per cent."

111. Mr. *Wrightson.*] It will be in your recollection, as it is in mine, that in one of the early years, and I think it was in my Committee, we put our pen through a debt of 100,000 *l.*, and extinguished it altogether. The practice, in those early years, was not to enter nominally 1 *d.* per cent., but to extinguish the debt perfectly. That was a Derbyshire case. The Duke of Rutland and the Duke of Devonshire, and two or three different owners, had laid out an enormous sum in the improvement of the property, which was perfectly irrecoverable, and with the full consent of all parties we put an end to it entirely. There have been many other cases, on a small scale, where the same principle has been adopted. Of late years, instead of extinguishing the debt, we have gone through the mere form of saying that there shall be 1 *d.* per cent. paid in future; is not that so?—I have never done that on my Committee; but I have done the same thing, viz. allowing no interest at all. There was 106,000 *l.* remaining nominally in that debt. We found that 100,000 *l.* had been advanced by those two dukes, and that there had been a very great benefit to their property. They had had no interest for many years, and they were perfectly willing to give it up, and we left only 6,000 *l.* of the debt remaining, which had reference to other mortgagees.

112. You know that unless Parliament had interfered, this debt would still remain?—Yes.

113. Therefore it is to the interest of everybody concerned, when the thing becomes otherwise, to get rid of it by the assistance of a Parliamentary Committee?—Yes; there is one thing which I should wish to remark. I do not think that the Home Office has been quite judicious in the selection of the trusts which it has brought before Parliament. Those different Acts expire in different years, and I think that with our work in Committees we should have been enabled to have done more towards the economical arrangement of the trusts, by the consolidation of the trusts, if they had selected roads to put into the schedule of the Continuance Act every year in some degree with reference to the locality of the trusts.

114. Mr. *Bruce.*] Is the Home Office master of the choice?—Yes, it is master of the choice in a great measure.

115. The power of the Home Office only comes into use when the Act is about to expire?—Yes, there was a case last year of a road from Oldham in one direction, that being the centre of several lines of road all converging towards Oldham, passing through a wild agricultural district. I had had one road brought before me two or three years before. There was another road brought before me last year, and on inquiry I found that there were one or two other trusts all pointing to Oldham, and all of which expired within a few years of each other which could have been consolidated if they had been held on by the Continuance Act until they could all have been brought before the Committee at once; we should then have consolidated them all in a much more economical manner.

116. I understand your suggestion to be, that whatever the state of the trust may be with regard to its debt and with regard to its management, it should be continued, although the trustees are unwilling to make any fair arrangement which would be acceptable to the Home Office, until some neighbouring trust with a short term to run is about to expire at the same time?—That is putting it in an extreme shape the other way, because in some cases the mismanagement may be so great that it may be necessary to bring it at once before Parliament; but something should be done towards accommodating that consolidation. I mentioned last year to Mr. Morris that there had been those cases in which it would have been very much better for the country and the locality, and the trust might have been managed much better if we had waited until the Acts had expired, and then we might have put them together.

117. Colonel *French.*] The term of the trust generally given by the Act is limited according to the present practice to 21 years, is it not?—That is usually the case but there are exceptions. The exceptions are these:—We usually make arrangements, if we possibly can, for the liquidation of the debt, or as near as possible the liquidation of the debt during the term of the Act, and where it appears to the Committee that an extension of time for three or four years would be desirable; we have often extended it beyond the 21 years in order to enable the trust to be entirely free from debt. We have in fact placed such a restriction on the expenditure, and given such time as will enable them to liquidate the debt before the Act expires.

118. You remember the case of the Great Dover Road, who came to ask for the renewal of their Act, they owing 31,000 *l.*; that came before Parliament, who refused the Act, and I think that that was on the principle that according to the Act of Parliament if they had managed their affairs properly they had ample time to pay off their debt?—I do not recollect that case, but I recollect that there was some informality interference on the part of the Parliamentary agent.

119. Then there was the Kentish-road, which owed 21,000 *l.*, and you refused there to renew that Act, and that 21,000 *l.* was very properly lost by those who lent their money on bad security?—That never came before my Committee.

120. But the New North-road case did come before your Committee, and you renewed the Act for 10 years to enable them to pay off a sum of money that up to the expiration of the Act they had not paid off?—Perhaps so.

121. Now you have stated that the value varies much according to the security; whatever the tolls fetch is the only security for persons lending money on mortgages?—In England it is so. The trustees are not liable except in some very rare instances, where we have found that certain individuals have made themselves personally liable. In Scotland it is different, and the trustees are personally liable there.

122. *Chairman.*] What is the date of the Wisbeach clause?—About the year 1852 or 1853, or earlier than that, but it amounts to nothing more than this, that you pay off to the lowest bidder.

123. Mr. *Legh.*] Do you know that the cases are very numerous where the repairs of turnpike roads fall on parishes?—In various degrees they do; you must remember that the road Acts which are brought before private Committees are those which are in the most insolvent state, and that therefore there would be a greater propor-

Colonel Hon. *E.G.D. Pennant.*

14 April 1864.

tion of such cases in them than if you took the whole mass of the trusts that exist; but I cannot give you the proportion.

124. But they are numerous, are they not?—Well, it very frequently happens that the Committees have in some cases, in order to liquidate the debt, compelled the parishes to contribute.

125. Colonel *Stuart.*] In the majority of the cases that have come before your committees for the last four years, where the rate of interest has been reduced, has it not been the effect of the Acts to give the bondholders some interest where they had previously got none?—There were frequently cases in which the trust was liable to pay five per cent., but in which the mortgagees had not received anything like that sum.

126. And many cases where the rate of interest has accumulated until it has exceeded the original debt, and that the Committee has invariably wiped out?—The Committee in almost all such cases had extinguished almost all arrears of debt on the renewal of the Act of Parliament.

127. In many cases the parishes did not pay anything towards those roads, though no interest was paid; but the trustees applied the whole receipts from the tolls first to the roads, without paying anything, in some cases to the bondholders?—They may have done so, but I forget.

128. *Chairman.*] That would be, I suppose, according to their Act of Parliament in such case?—I do not think that many of the old Acts specify the order in which the payments are to be made as the new Acts do.

129. Colonel *Stuart.*] In renewal, the Act itself now fixes the amount of the salaries as well as the other charges, I believe?—I do not think that the rule has been to fix the amount to be paid to each officer.

130. But I mean collectively?—Collectively it is so; the amounts to be expended in law expenses, salaries, repairs, rate of interest on the debt, and all the different items are generally controlled by a specific sum laid down by the Parliamentary Committee.

131. The effect of the Wisbech Clause practically is, that every trust is bound, whenever they have a certain sum in hand, which is usually limited in the renewal Act from 100 *l.* to 500 *l.*, to send to every bondholder, asking him to state what amount he will take for his debt, and the lowest tender is then taken for that amount: it is, in fact, a Dutch auction?—Yes, in order to prevent the accumulation of money in the hands of the treasurer.

132. The Committee never fixes the number of gates in any trust, and yet the Committee always fixes the amount of tolls to be taken; if, for instance, there are 10 gates, the committee may say that no more than two tolls shall be taken on the whole trust?—Yes, that is always the case; and very often the trust is subdivided, the committee saying that no more than so many tolls shall be taken on certain portions of the road.

133. *Chairman.*] Supposing that such a thing were possible as the abolition of turnpike trusts altogether, what is your opinion with regard to the making of new roads, if they were wanted?—I think that one great difficulty with regard to the abolition of turnpike gates by legislative interference, is that there would be a difficulty in the formation of new roads. My impression very strongly is, that if you were to abolish toll gates to day, you would have applications, in a very short time, to be allowed to put them on in some particular roads, and for this reason, that you would find a very great difficulty in getting new roads made. Almost every year there are applications for fresh roads, and I have always made it a rule to make strict inquiries of the people of the locality with regard to why they do not endeavour to get a road made by subscription. I remember a case, two or three years ago, where a road out of Manchester was required, and it was proved before the Committee, that it would be a very great benefit, it was so great a benefit, in fact, that the landowners were said to have been willing to give the land for nothing, they said that they had been several years endeavouring to get the road made by subscription, and that they had never been able to get it done.

134. In short, the money might be borrowed on the security of the tolls?—Yes.

135. Would it not be just as easy to borrow the money on the security of the rates?—It would be just as easy to do so, and probably you would get the money much easier, because the rates of the county would be much better security; but then the question arises, would you get the county to do that.

136. Mr. *Bruce.*] I believe that the present Highway Act does not authorise the borrowing of money for any purposes where the Highway Act of 1862, has been adopted?—I am not sure about that, but there is, I suppose, a reason for that, the contributions to the Highway Act are parochial, although the Board forms the district.

137. The authority for borrowing the money on the security of the rates of the parish, which was only represented by one member of the whole board, might be given by the board?—Yes.

138. I presume that you are not so well acquainted with South Wales as you are with North Wales?—I never was in South Wales in my life.

139. But you know, I suppose, that an Act of Parliament similar to the Highway Act of 1862, has been in operation in South Wales for nearly 20 years?—I cannot speak with regard to the details of that Act, but I know that there was a consolidation of the trust there.

140. But my question has no reference to trusts; are you not aware that the highways have been for nearly 20 years in South Wales under a management similar to that which is constituted by the Highway Act of 1862?—I am not aware of that; it has escaped my memory, if I ever was so.

141. Taking that as a fact, however, I may add that you are probably aware that of all the counties in Great Britain during the last two censuses the county of Glamorgan has increased the most rapidly in population?—No, I am not aware of that.

142. You are perhaps, therefore, unable to say whether any complaints have ever arisen of the inability of that county to provide adequate roads under the highway system which prevails there?—No, I do not know anything about it.

143. Mr. *Walter.*] I believe it is the fact that there are no turnpikes in Ireland?—I believe that there are not any turnpikes in Ireland now.

144. Can you state from your observation whether there is any practical difficulty in making new roads throughout Ireland?—I believe, from what I know, that there were not, comparatively speaking, anything like the same number of turnpike roads existing in Ireland as in England; I believe

believe that they were very much fewer; and there is this difference with regard to highways, that you never had there a parochial system of highways; that has always been done under the baronies.

145. But, as a matter of fact, do you believe that there is any difficulty in making new roads in Ireland under their system?—I am not qualified to give an opinion about that.

146. Lord *Henley.*] Can the trustees borrow money to pay off a debt under the Wisbeach system; suppose some of the mortgagees are willing to take, for instance, 70 *l.* instead of 100 *l.*, can the trustees borrow money for that purpose?—No; the trustees cannot borrow money except under the sanction of the Secretary of State; those trusts which have not come before the Committees may be empowered by the Secretary of State; but those trusts which have been subject to the Committees have no power to borrow money at all.

147. Would not that, in your opinion, be a good way of extinguishing a debt?—It would depend on whether you could borrow money at a less rate of interest or not.

148. You can now only apply to the bondholders when you have got accumulations, but do you not think it would be a good thing to be able to do that at other times?—I do not think that that would come into operation very often; I think there was one case in Kingstown where we gave power to borrow money, because it was proved that there would be an opportunity to borrow money at a lower rate of interest, and to pay off the debt in that manner; but generally the payment of the debt is not at the original nominal rate of interest, but only at the rate of interest which is the current payment.

149. Sir *William Jolliffe.*] You think that the power to borrow money for the payment of the debt would clash with the securities already existing on the road?—Yes.

150. And that it would be very difficult to arrange that when you raise the money for the purpose of paying off the capital then existing?—Yes; I think it is a safer plan to prevent the trustees from borrowing any money at all.

151. Lord *Henley.*] But a large nominal sum might be paid off in that manner, might it not?—I do not think that it would work practically.

152. Mr. *Dodson.*] In the case of a gate that is situate within the limits of a place that is under the Local Government Act, I believe that the Board has power to compel the removal of the gate, if it engages to take the repairs of the road upon the district rate?—There is a clause introduced into the Local Government Act to enable Boards of Management, or even in any parish the local manager of the Board, to enter into an arrangement with the trustees of any road to take that portion of the road under its own charge, upon making an equitable arrangement with the mortgagees towards paying a share of the debt or the interest, in order to get rid of the turnpike gate; it is a clause of the Local Government Act which is not generally known.

153. Is that a clause only empowering the Board to agree with the trustees, or to compel them?—It is only empowering them to agree I think. But the practice of Parliament has been of late years, when there is a populous town under the Local Government Act, to exclude that portion of the road from the new Act.

154. Can you tell me whether Boards under the Local Government Act have extensively availed themselves of that power?—I do not think the clause is very generally known.

155. Therefore not many gates have been removed through the operation of that clause?—I think not; but I cannot speak positively.

156. *Chairman.*] Is there anything further which you would wish to add to your evidence?—I do not think that there is.

George Frederick Newmarch, called in; and Examined.

157. *Chairman.*] You are, I believe, a Solicitor?—Yes.

158. And Clerk to what turnpike trust?—The name of the trust is The Crickley Hill and Campsfield Trust, comprising that part of the old Cheltenham and London road running through Northleach.

159. I believe that, in the year 1859, you directed your attention to this matter, with reference to turnpike trusts?—I did, at the request of our Chairman, the Hon. Mr. Talbot, of Withington.

160. And I believe that you published your remarks?—Yes, he asked me to do so.

161. And you were subsequently, I believe, in communication with the late Sir George Cornewall Lewis?—He had a copy of my letter, and he mentioned the subject in the House of Commons.

162. What was your idea on the subject?—My idea generally was that all turnpike roads had ceased to be national roads, and had become purely of a local character. In former days, for example, the great highway from London to York was a great national road, which might fairly be kept in repair by the travellers using it; but now, in consequence of railroads, it has no longer that character, but is purely local, in fact, as much so as an ordinary parish highway.

163. In your opinion there is, practically, really no difference in the traffic?—No; in many cases a parish highway takes as much traffic as a turnpike road, and in some cases even more.

164. Do you believe that the persons who pay toll are, in fact, ratepayers?—Practically; it is the inhabitants of the district who now pay the tolls, whether in towns or in country parishes.

165. You are aware, I suppose, that there are two classes of turnpike roads; one in which the debt is actually paid off, and the other where the debt still exists?—Yes.

166. What course would you adopt with regard to roads where there is no debt?—I think that there is no reason why the toll-gates should not be removed at once. My own road is one of that kind. We have paid off our debt, but we still keep up the gates, and repair the roads by tolls, with a contribution in aid from the parishes. There is one practical difficulty in simply removing the toll-gates, namely, that then the whole repairs would be thrown on those individual parishes through which the road happens to go. We have a case of a small parish which has a very long length of road, and we should impose a very large burden on that parish if we were simply to take down our gates; but if you were to impose the whole of that repair on the highway district, you

G. F. Newmarch, Esq.

14 April 1864.

would not have that difficulty. Let us suppose that we have several parishes, and that we have one very small parish which may have three miles of turnpike road through it. That parish would then have to keep the whole three miles in repair. But suppose that you throw the whole of the repairs of the road upon the entire district, which perhaps comprises 20 parishes of large area, then the inequality is almost *nil*, and the difficulty would be reduced in a like proportion.

167. But then it may be the case that that small parish is more benefited by the road than the others?—It may be so, and it may not be so; it does not at all follow. I can give you the name of one particular parish, the parish of Hampnett, near Northleach. That parish has more road in it than any other parish, and I think that it is the smallest parish that we have.

168. Mr. *Alcock.*] What is the assessment in that case?—I cannot tell you.

169. *Chairman.*] Under what management would you propose to place the turnpike roads?—Where there is no debt I think that it would be fair to place the whole management under the District Highway Board, and I would give to the Quarter Sessions the power of making a sort of special rate, or rather stating in what proportion that main road (so to speak) should be repaired by the whole district. For example, supposing that there were a dozen parishes in the district, and also a town in the district having a Local Act and keeping its own roads under it, then (and indeed whether there were a town or not) I think that the magistrates sitting in Quarter Sessions might determine what proportion of those roads which are now turnpike roads should be repaired by the different parishes whether town or country, and then it would come into the expenditure of each parish under the management of the Highway Board. I do not think that it would be fair to put it on a common rating.

170. Now, with regard to those trusts that are in debt, what would you propose to do?—I should deal with the debt just as I should deal with the ordinary expenditure. Where a road had a debt upon it, I should take the debt as having been originally contracted for the benefit of the district. I should consider it an obligation on the district, and deal with it in the same manner as I would deal with the obligation to repair the roads.

171. How would you ascertain the value of the debt?—You would get access to the books of the trust and find out what the bonds had been sold for, and I would name a day, say the 1st of January preceding the bringing in of a Bill, or some time when the value should not have been affected by contemplated legislation. Then I would go back five years or so and ascertain what the average value of those bonds had been, in the same way that the tithes were assessed under the Tithe Commutation Act. There would be no difficulty whatever in finding out what would be the average value.

172. What would you say should be done where no interest had been paid at all?—In that case the value cannot be ascertained in the same way; I apprehend that in that case the bonds would maintain a small value.

173. Suppose that there is no mortgage at all; how then?—You can then only deal with it arbitrarily; a commissioner or some competent person must decide a case of that kind.

174. What tribunal would you propose should decide upon the value of the debt?—I think that it might be referred to some Commission, either the Enclosure Commission or some other body, to which Parliament might think fit to depute the duty.

175. And in that case, the debt being paid off, you would immediately take off the gates and endeavour to charge the district with the expense of the roads in the same way as in a case where there was no debt?—Precisely; you might take off the gates at once, even before the debt was extinguished, extinguishing the debt by payments out of the rate.

176. Do you mean by borrowing money on the security of the rate?—No, the debt is there already; you would pay off the debt by the contributions of the parishes in the proportion which the Quarter Sessions might determine.

177. Would you make any difference with regard to owners or occupiers?—All those rates come on the occupiers.

178. You would give no power of reduction, would you?—It would come very light, and I did not go into that question; that is for Parliament to determine.

179. You have no debt yourselves in your own trust?—No; but in Cirencester district we have a very large debt on the trust, in reference to which, under Mr. Wrightson's Committee, a new Act was granted the year before last; I am trustee, and our debt is 14,722 *l.* In a case of that kind you would have to distribute the debt over a considerable period. Our debt I should say is worth about 80 per cent.; I knew of a case the other day in which 70 per cent. was accepted under the Wisbeach clause, but that was very low; I believe that our debt is really worth more, and consequently taking it at 80 *l.*, it would take a very long time to get rid of the debt; the interest was fixed at 4 per cent.; I should think that we could not get rid of the debt under our present new Act in less than 40 or 50 years.

180. Now, with regard to the making of new roads, do you feel that there would be any difficulty about that, if the tolls were taken off?—None whatever; I think that you would much more easily raise money on the security of the rates, than on the security of tolls. You must borrow money to make new roads, and there would not be so great a difficulty in borrowing money upon Improvement Bonds as upon a mortgage of tolls.

181. Mr. *Western.*] Do you mean a special rate for that purpose distributed over the parishes?—Supposing that the whole of the roads were repaired by a district, and a rate were levied, although varying in different parishes, that rate, being secured on the whole of the property of that district, would be a so much better security than the variable security of the tolls that you would get the money more easily.

182. *Chairman.*] And you might obtain your money in the same way for the payment of the debt?—Precisely.

183. Mr. *Alcock.*]—You do not expect that your Cirencester debt would be paid off in less than 40 years?—That is so.

184. According to your proposition of three years ago, you would propose that in no case should a turnpike trust be extended beyond 20 years?—I suggested that the debt should be liquidated by the tolls, and that the toll-gates should be kept up for the purpose of discharging the debt. My only reason for that was, that then there was a greater prejudice than there is

now

now against putting the roads on the rating; and therefore, to make my plan complete, I suggested that the tolls should be kept up for the purpose of liquidating the debt, and I proposed that the term should not exceed 20 years. But I do not really wish that myself; I think that it is a very imperfect scheme. I believe now that the public mind is going on in the right direction, and is not so much prejudiced as it was against the immediate total abolition.

185. Mr. *Alcock.*] Did I not send a letter to you, two or three years ago, proposing to take the tolls off at once, and to raise the money necessary for paying off the debt (at a fair value) and for paying the interest by a rate on each parish?—Yes; your plan was to raise money on a mortgage of the rates, and then to apportion the rates upon each parish, according to a table which you gave as an illustration.

186. Mr. *Walter.*] Have you had any opportunities of ascertaining the state of public opinion with regard to the policy of continuing the turnpikes?—Yes, I have; and in one instance, in our immediate neighbourhood, the parishes took action to get rid of the turnpike tolls, and they made a private arrangement with the mortgagees, who were applying for a new Act. The latter abandoned their Act, and took a certain sum of money at the instance of the parishes; the toll-gates were taken down, and that is now a highway. There is another case, which I know of merely by hearsay, but I am quite sure of the fact, of another turnpike road where the parishes are also trying to make some arrangement with the mortgagees to take down the toll-gates.

187. Are you of opinion that there is a growing feeling in your neighbourhood against toll-gates, as being nuisances which the public would be glad to pay something to get rid of?—Yes, certainly.

188. Can you state what proportion the expense of collecting the tolls bears in the Cirencester Trust to the general expense of maintaining the roads?—That I cannot get at, because the tolls are put up to auction. Sometimes there is very great competition, and sometimes there is not; but I cannot imagine that anybody would take a gate unless he got at least 10 per cent. profit by it.

189. *Chairman.*] That 10 per cent. would not represent the whole, I suppose?—I speak now of the simple collection. I take it that the present expenses of management are enormous; it is impossible to conceive a more expensive system; you have not only got a large machinery in every trust, but you have also got the great expense of collecting the tolls.

190. Mr. *Walter.*] Can you give the Committee the number of miles in that trust, and also the number of gates?—The Cirencester Trust contains 64 miles apparently. I cannot tell you the number of gates, because it is not one length of roads; it is a series of roads. Upon the Crickley Hill Road we have on 20 miles three gates, but one clearing the one of others.

191. But those gates, I presume, are meant to intercept some of the traffic that comes into the road by different channels?—Yes.

192. I suppose that the gates are not put there merely for the purpose of making obstructions?—No.

193. They would be paying gates to the persons who passed through them on one side?—The public pay at every gate; we have three gates in 20 miles, one of those gates freeing one of the others.

194. Colonel *Pennant.*] You spoke of the first trust to which you are clerk having paid off its debt and yet continuing to receive its contributions from the parishes?—Yes.

195. To what purposes do you apply your income?—Wholly to the repairs and management.

196. That is not sufficient for them?—No; and for the repairs we apply to the parishes; but the whole of the money is laid out in management and repairs.

197. That is subject to a renewal of the Act, I suppose?—We have never applied for a renewal of the Act; we go on under the Continuance Act.

198. When did your Act of Parliament expire?—Before I was appointed Clerk to the Trust. I should think that it must have been in 1833; it was a great many years ago; I have been clerk for more than 20 years.

199. And this has been annually continued by the Home Office for 20 years as a trust?—Yes.

200. Although you have had no debt?—Of late years we have had no debt.

201. This has been renewed by the Home Office year after year in the Continuance Act, although you have no existing Act under which you levy tolls?—Just so.

202. And you have now no debt?—No.

203. And you have had no debt for some years?—That is so.

204. You are receiving contributions from the parishes?—Yes.

205. The Act of Parliament under which you are empowered to take tolls has expired, and yet you are continued by the Home Office in the Continuance Act; year after year receiving contributions from the parishes, no debt existing, and you levying tolls upon that road?—Yes.

206. How can you account for that being carried on by the Home Office in the Continuance Act without your being brought under the operation of the law so as to have the trust discontinued or renewed on different terms?—I can only suppose that the Home Office, finding that we are satisfied, think it well to leave us as we are.

207. Mr. *Bruce.*] When you say "we," do you mean the trustees?—I mean the trustees and the district.

208. The parishes, in fact, prefer to pay the toll to bearing the whole expense of a rating?—Yes; when we got rid of our debt I was directed to request some of the principal ratepayers of the parishes to attend our meeting, and a farmer of this very parish of Hampnett attended our meeting, and we asked whether they would wish the road to be continued as a turnpike trust, and he said that he should, because his parish could not repair the road for the money that they had to pay in contribution.

209. Colonel *Pennant.*] You think that that rather proves what you said just now, that if the tolls were universally abolished, and the expense of repairing the roads thrown on individual parishes, there would, in many cases, be a hardship on those particular parishes?—Yes.

210. Therefore, you think it would be necessary to consolidate the districts, and lay the rates evenly over the districts?—Yes; I think that you could not sweep away toll-gates, and do

G. F. Newmarch, Esq.

14 April 1864.

nothing else, without committing some individual injustice.

211. Mr. *Wrightson.*] May it be in this instance that the contribution of the parishes are small?—They are about 14 *l.* per mile.

212. Mr. *Bruce.*] What proportion of the whole expenses of the roads is contributed now by the parishes?—I think that it is about three-eighths, as near as I can reckon, and about five-eighths by the tolls.

213. Is that three-eighths contributed by each parish in proportion to the length of road that passes through it?—It is contributed in proportion to its mileage.

214. Then that proportion already falls heavily on that particular parish which has the larger proportion of road?—Yes.

215. Is that parish desirous of the continuation of the present state of things?—That parish desires to have the toll-gates kept up because of the greater length of road in proportion to its small amount of paying property.

216. *Chairman.*] They would rather pay three-eighths than six-eighths?—Yes.

217. Colonel *Pennant.*] Would there be any difficulty, supposing that the parishes were all to agree to take the expenses of the repairs, and the debt was extinguished, in getting the trust ended?—None whatever. There would be no difficulty at all. If the trustees now choose to apply to Parliament, or to the Home Office, to put them in the schedule, the thing is done, because we have no debt.

218. Mr. *Bruce.*] Do I understand you to say that the real reason why the trust is continued is that the district has been desirous that it should be continued?—Nothing has been said; there has been no action taken whatever.

219. But I presume that at the time when it was originally continued, the Secretary of State was made acquainted with the wishes of the various persons interested?—When the Continuance Act first came into operation, that is to say, when our special Act ended, we had a very heavy debt; indeed, so heavy that the mortgagees took possession of the gates.

220. *Chairman.*] When did your debts cease?—Our debts ceased about five or six years ago, I think, speaking from recollection.

221. Mr. *Bruce.*] In highway districts, does not exactly the same inequality frequently exist as that which would exist in the case you mention, supposing the Turnpike Act was extinguished—that is to say, that particular roads which may be considered as trunk roads are maintained by one particular parish for the use of the surrounding district?—Yes.

222. I suppose that the inequality would not be greater in turnpike roads than in many ordinary highways?—No. Some parishes are burdened with very expensive roads, and the rates are very large. Other parishes have less highway and small rates.

223. And I presume that that inequality has been very much aggravated since the introduction of railroads?—Yes; no doubt.

224. Would you suggest any alteration in the law with regard to those trunk roads?—My plan is that the Quarter Sessions should settle the proportions of the rate for the various parishes, and that the district should maintain the great roads which you may now call turnpike roads.

225. But would that proposition of yours extend to roads which, though not turnpike roads, are yet trunk roads?—I have not considered that question.

226. Would not the same reasons, in your opinion, exist in both cases?—In the one case the liability has been handed down to them. If you were to equalise the liability of repairing highways, you would be benefiting one set of occupiers at the expense of another.

227. But surely exactly the same reason exists in the case of a road where the road runs through a parish, and leads to a great railway station, which road is maintained chiefly for the benefit of the surrounding districts?—So it would, if Parliament took upon itself to alter the liability.

228. But you would hardly be justified in making one arrangement with regard to a turnpike road, whilst you allowed the inequality to remain with reference to such a highway as we have mentioned?—Except that Parliament would be putting on a district a new liability, and might then put it in a way which should operate as fairly as possible. The common law of the land requires every parish to maintain the roads within it; and if, by any circumstance, an increased traffic comes upon any particular road, that parish has been fortunate or unfortunate, as the case may be; but if Parliament takes these turnpike roads and puts them on the district, then Parliament may very fairly say, "We will impose the new obligation in such a way as we think will be most fair."

229. Mr. *Walter.*] With regard to the rating of parishes, can you state to what extent the passage of a turnpike road through a parish affects its rateable value, having regard to the convenience it affords for building?—I do not think it is possible to state that; it would improve it, of course.

230. In a populous neighbourhood, would not the passage of a turnpike road through a parish of even small area somewhat affect the rateable value?—No doubt it would.

231. Therefore to that extent the hardship of rating a small parish for a greater length of road would be diminished?—Yes; you may say that that is a set-off.

232. Colonel *Pennant.*] Suppose the case of a parish of very low acreable value, with a very long length of road running through it, on which there was a very heavy traffic from manufactories in the district, would not the rate fall very unevenly?—If the rate were made equal it would; that is the very reason why a general district rate would operate unfairly. If you have a long road and a great quantity of moorland, for example, running through a parish of small rateable value, then, taking it in that broad sense, it would be very unfair to throw that length of road on that poor parish. I think that the repairs of the whole district of road should be borne by the district in proportion to the benefit that the district would receive, and to its paying power.

233. You would give power to the Quarter Sessions to decide that proportion, as I understand you?—Yes, as a sort of local Parliament.

234. Take the case of the roads diverging from Oldham and passing over a wild district, but in which there are different mills and manufactories scattered about, those being very profitable, but paying rates only upon the actual buildings; and suppose the expense of the traffic of goods coming from those mills were borne by the occupiers of the lands around, would not that be rather

ither a hardship?—That is entering upon the uestion whether you would rate for highways, roperty invested in trade.

235. Complaints were made last year that if ie turnpike gates were abolished there, the wners of the mills would pass the whole of their eavy traffic over the roads at the expense of the ccupiers of this poor land bordering on the oads?—That is the sort of case which the Quarter Sessions would consider, that is to say, whether it would put upon the manufacturing part f the district the greater portion of the expenses f repairs, and upon the agricultural part of the istrict the smaller portion.

236. Lord *Henley.*] I understood you to say hat where there was no debt, you thought that hose turnpike gates might be removed altoether?—Yes.

237. But where there is a debt, do you recommend that the tolls should be retained, and the proceeds applied to the payment of the debt, while the repairs should be thrown upon the parish?—I did that in 1859, in order to meet the prejudice then existing against increased payments by rates.

238. But would it not put the ratepayers of such parishes in a very much worse position than now, they having both to pay rates for the repair of the roads, and also to pay tolls for the extinction of the debt?—It is about the same thing whether you pay a toll or whether you pay a rate; the district has to pay the debt, and you must pay it in some way or other, and for a certain period you would have to pay an instalment of the debt in some shape.

239. But the toll would fall particularly heavy on the inhabitants immediately around it, would it not?—Yes, and no doubt that is one great objection to the turnpike system.

240. *Chairman.*] I understand you to say that you think that whatever is now done by a toll would be better done by a rate?—Yes, and more fairly done.

241. Colonel *Stuart.*] And another point upon which you insist is, that the present system is so unnecessarily expensive, as we have clerks and surveyors in every trust; and where the trusts are already in the highway districts, the clerks and surveyors in the highway districts might do all the work?—Yes, you might do it all under one expense; you have now clerks and surveyors for every trust, and also toll collectors.

242. Can you state to the Committee what is the average cost of collecting the tolls at a toll-house compared to the amount realised?—That I cannot tell, and I doubt whether you would be able to obtain good information on that point, because the toll renter would not tell you.

243. But you know to some extent what the tolls let for, and you know to some extent the expense of keeping the toll-houses in repair, and in some cases they are rented. At all events there is a man, with his wife, usually maintained in each toll-house, and that man and wife live on the country?—It depends very much on the size of the district, and the tolls taken. It requires somebody to take half-a-dozen tolls a-day just the same as to take 100.

244. Mr. *Wrightson.*] It would be essential to the carrying out of your scheme that the highway rate should be made compulsory over the kingdom, would it not?—Yes, certainly. At all events, with regard to the turnpike roads.

245. You could not work it in the present state of the Highway Act, which is merely permissive. Is not that so?—I think you might. Suppose that there was a road passing partly through a highway district and partly not; still, if the Quarter Sessions said that a certain portion of the road should be kept in repair by this parish, and a certain amount by that parish, then the parish would have to find that portion of the expenditure whether it was in a highway district or not.

246. How would you deal, for instance, with the North Riding of Yorkshire, where the magistrates have not adopted that system at all; or the West Riding of Yorkshire, where the magistrates have only adopted it in a corner of that Riding?—I would deal with it just in the same way. Supposing, for example, that there are two parishes, one in a highway district and the other not in a highway district, and suppose that there is a road running through the two parishes, the Quarter Sessions would say that the parish which is in the highway district should bear 8-100ths of the expenses of the road, and the parish that is not in the highway district should bear 7-100ths of the expenses. The parishes would each raise that money under their own system, whether the highway system or that of parochial rates. They must contribute the amount on the same principle, though it would not be done so conveniently.

247. *Chairman.*] What would you propose to do with regard to the management of the road?—There would be a difficulty in that, because you would have a divided management. The parish which was maintaining its own roads without the highway district would have the management of that portion of the road which was within its boundary.

248. And that you think would not be more inconvenient than the present highway system?—Not a bit more inconvenient; it would be done in the same way.

249. Sir *William Jolliffe.*] Is the new Highway Act in operation in your district?—Yes.

250. You say that on the Crickley Hill Trust there is no reason why the road should not be maintained at the expense of the parishes, except the inequality with which the cost would fall upon certain parishes?—Yes.

251. And your remedy for that inequality is that the Quarter Sessions should invent an assessment for the just rating of each parish?—Yes.

252. Do you not see a great difficulty in such a body as the Quarter Sessions making an assessment; on what basis would you have them proceed in rating the different parishes; on that of the benefit which they obtained from the road, or according to the whole length of the road contained in each parish?—I think that I would take all the circumstances into consideration. If there was a parish that made a much larger use of the road than the adjoining parish, I think that I would put on the parish having the greater use of the road a greater share of the expenditure; and nobody would be so competent as the parties living in the neighbourhood to judge of such matters.

253. Do you mean that you would give that power to a Committee of the Quarter Sessions?—No. I would propose that the question should be considered in a full court as usual, but you might have a Committee to inquire for information, and to examine witnesses, and there might be an appeal.

254. Would you then propose that the Quar-

G. F. Newmarch, Esq.

14 April 1864.

ter Sessions should consider what the benefit of that particular road was to the rest of the parishes?—If a turnpike road ran through a road more used by one parish than another, I think you ought to put the larger portion of the repairs of that road upon that particular parish.

255. A parish road, like a turnpike road, may be so situated as to be far more useful to one parish, than to another?—Yes.

256. Then the same inequality may exist, with regard to parochial roads, as with regard to turnpike roads?—Yes; only that here Parliament would be imposing a new obligation, which they should impose fairly; the other is an obligation which has come down to the parishes from year to year.

257. But the management of the district is paid for by a district rate, is it not?—Yes; but under the new Highway Act, the district rate is not a uniform rate.

258. But it is a rate fixed according to the length of road traversing the district, is it not?—No; I believe that I am correct in saying that the district rate, under the new Highway Act, is a rate in accordance with the amount of the road expenditure.

259. Would you prefer that the same thing should exist with regard to a turnpike road turned over to the parish; and would you make a district rating for that purpose, or would you prefer to leave it on the parish; do you think it would be an improvement to put it on the district?—No; I rather doubt that, but that is a matter of opinion. My own opinion is, that it would be fairer to have a separate portion of the rate put on each parish, according to the circumstances of that parish. I think that in imposing a new obligation, Parliament may very rightly consider how it shall impose it most fairly, and I do not think that you can do that better than by letting the Quarter Sessions determine how the rate shall be imposed; but that is a matter of detail which I do not wish to press.

260. Mr. *Dodson.*] You said, I believe, that your objection to throwing a turnpike road on the parish for its maintenance was, that it would be placing on the parish a new obligation?—Yes.

261. Is it not the case, in many instances, that the turnpike road is a highway?—Yes.

262. And therefore the parish would be, in many cases, liable for its maintenance?—Yes.

263. And therefore the parish would only be temporarily relieved by the toll-gates?—That is so.

264. Would you see any hardship in such a road being once more thrown on the parish?—In the case which you speak of, the road has been taken off the parish and put on the tolls, so that this would only be re-imposing a previous obligation.

265. According to your proposition you would have the turnpike roads supported by a contribution from the different parishes in the district, the proportions of that contribution to be assessed by the Quarter Sessions?—Yes.

266. Have you ever considered the policy of maintaining those roads by a uniform rate levied over the district?—I think that a general rate would not be quite fair. I should fancy that it would fall very heavily on some parishes, and for that reason I would give power to the Quarter Sessions to make variation, as I have proposed. The question, however, is a very wide question, upon which I am not prepared to express a very strong opinion, though I am inclined to think th an uniform rate would bear unequally.

267. Mr. *Legh.*] In your scheme do you ta into consideration the cases of the different office who have been a long time in their posts; do y think that any compensation should be given them?—That is a question which comes close myself; I do not care about it.

268. *Chairman.*] Do you not think that so opposition might be warded off by such a pla —Perhaps so.

269. Colonel *Stuart.*] In fact, as the matt now stands when the debt is paid off, as it m be at some time, the officers holding office w become *functi officio*?—Yes.

270. Mr. *Western.*] You propose that t Quarter Sessions should appoint a Committee investigate the proper assessment?—Yes.

271. Do you think that it would be very obje tionable for the county rate to provide for t maintenance of all the roads throughout t county; would not the ratepayers be very indi nant?—That is putting in another form the que tion of uniform rating. I think that it would a very excellent and simple plan; but I do n know how Parliament would deal with such large amount of vested interests.

272. Colonel *Packe.*] Your evidence, as understand it, goes to throwing the expense the landowners instead of the public who ma use of the roads?—All rates are paid by propert

273. Therefore you throw the expense up the landowners instead of throwing it upon th who make use of the road, and now pay the to —Yes; but the inhabitants of the district a really the persons who pay it. It would not imposed necessarily upon country parishes a more than it is now. If there was a large to in the district, that large town, with all its inh bitants using the road, would of course have pay a portion of the expense of the road.

274. Mr. *Walter.*] You stated just now th there are cases in which a road has become turnpike road, which had been previously kept order by the parish?—No doubt.

275. Would there not in that case be a tra ference of the burden of maintaining that ro from the ratepayers to that portion of the publ who use horses and carriages?—Yes.

276. Do you think that there is any reason the nature of things why a man who walks alo a road should not contribute his share to t maintenance of the road, as well as a person w rides or drives?—No; for he uses the road.

277. In a case where the road is maintain by the rates of the parish, a portion of the e pense of maintaining the road will necessari fall upon persons who neither ride nor drive? Yes.

278. But if it becomes a turnpike road, and maintained by tolls, the whole expense is thro upon a comparatively small number of perso I mean those who ride and drive?—Yes.

279. Is not that an anomalous transference a burden from one person to another?—To small extent.

280. Is there any reason why a person w walks along the road should not contribute portion towards the expense of maintaining th road as well as those who ride or drive?—The is an inequality in the case; the person who wa does not derive the same advantage from the ro that the man who rides and drives does.

281. But it is an advantage to the walki communi

nmunity, is it not, to have a good road instead a road that might become impassable; therefore, is there anything unfair in requiring that man who walks should pay his share of maintaining the expense of the road?—No, I think t.

282. Sir *William Jolliffe.*] With regard to this ickley Hill Trust (which you think might be ne away with advantageously, except for the equality that would afterwards arise with regard the parish charge), is it your opinion, having ference to the management of that trust as it w stands, would it be worked more economilly by your Board of way-wardens than it is at esent?—I think it would; honestly speaking, think that our management is expensive.

283. *Chairman.*] And that being so, I suppose at you cannot form any estimate with regard to e per-centage of the expense?—On our own ust I can tell you generally what it is.

284. I mean the cost of collection of tolls and anagement?—Our own trust is now very small; is now only a local road, and the expenses of ır management are, therefore, comparatively rge; and yet we manage it in the most onomical way that we can. We always let our lls at our meeting; we cut down our advertisement, and we have only one meeting a year; nd yet the expenses of our management come to mething like 3*s.* 6*d.* in the pound.

285. Colonel *Stuart.*] That 3*s.* 6*d.* does not include the cost of collection, I suppose?—That is respective of the profit made by the collectors; should say that the expenses of our trust are, king the toll rental, something like a quarter f the whole revenue.

286. *Chairman.*] That is to say, 25 per cent.?—Yes.

287. Sir *William Jolliffe.*] What would that mount to per mile?—About 5 *l.* per mile, speaking roughly.

288. Colonel *Pennant.*] Your trust, I believe, as never come under the notice of the recent Committees?—No.

289. You are aware, I presume, that when the Acts of Parliament are renewed now, the expenses of management are considerably curtailed?—Yes.

290. And, therefore, that figure which you gave could hardly be a fair average?—You could not curtail our expenses because my salary is only 10 guineas a-year, and the salary of our surveyor is 50 *l.* a-year.

291. *Chairman.*] Have you any treasurer?—Yes; he has a salary of 10 guineas.

292. Colonel *Pennant.*] How many miles is your trust?—Twenty miles.

293. Mr. *Alcock.*] What are the tolls?—The tolls on those 20 miles in the year 1863 amounted to 283 *l.* 15 *s.*

294. Colonel *Pennant.*] The consolidation of the trust would diminish the expenses of management, would it not?—No doubt.

295. *Chairman.*] Have you any instance in your neighbourhood, of gates being put up close to a railway station, in order to catch travellers by the railway?—We have no railway on our trust; there has been a gate put up between Cirencester and Tetbury, in order to catch the passengers coming to the railway station, and that is a great local inconvenience. I have to go through that gate and pay a toll which I had not to pay before; but, then, the trustees have reduced the toll at another gate coming out of Cirencester town.

296. Still it is an impediment to the traffic of the country as far as that goes, is it not?—Yes, of course.

297. With regard to the Quarter Sessions deciding with respect to the proportion of payment to be made by each parish, that is merely a little addition to your scheme, I suppose?—Yes.

298. But your general view does not depend on that at all?—Not at all.

299. And even without that proviso you conceive that the system of turnpikes can be abolished?—Yes; my general principle is this, that the turnpike roads of the kingdom have become local; that they are now supported and paid for by the immediate districts, and whether they are supported by tolls or by rates does not matter, for they no longer are supported by the tolls of the travelling public who come from other districts; being now placed in the same category as the highways, there is no reason for keeping up a distinction.

300. And the rates would be more economical than tolls, you think?—Rates would be more economical than tolls.

301. Mr. *Western.*] Do your roads run parallel with any railway?—No; the traffic has been taken off our roads entirely by the railroad. The whole of the Gloucester, Cheltenham, and South Wales traffic used to come over this road, and there used to be 2,000 *l.* or 3,000 *l.* in tolls, and now the tolls are only 280 *l.*

302. And yet you have paid off your debt?—Yes; but before the railway came.

303. That was about five years ago, was it not?—It was entirely paid off then.

G. F. Newmarch, Esq.

14 April 1864.

G. K. Rickards, Esq., called in; and Examined.

304. Mr. *Bruce.*] With regard to the South Wales system, you were, I believe, originally Secretary to the First Commission of Enquiry into the disturbances in South Wales, which reported on the turnpike disturbances?—Yes; and then another Commission was appointed to settle the affairs of the turnpike trusts, and under that I was a Commissioner.

305. Who were the other Commissioners who were acting with you?—On the second Commission, Sir Frankland Lewis and Mr. Cripps.

306. What was the object of your inquiry?—The object of the second Commission was not to inquire, but to settle the debts of the turnpike trusts, and to execute in other ways the Act of 0.56.

307. How did you accomplish that task?—We had, the previous year, on the first Commission, taken a great deal of evidence with regard to all the turnpike trusts in the six counties of South Wales; we visited the towns of South Wales, and we took further evidence with regard to the circumstances of the turnpike trusts, and then we made a valuation of the debts.

308. Had you any difficulty in arriving at the value of the debts?—It was rather a rough valuation; but we arrived at a valuation which, upon the whole, gave satisfaction; and the sum at which they were valued was some 10,000 *l.* less than

G. K. Rickards, Esq.

G. K. Richards, Esq.

14 April 1864.

than the sum placed at our disposal by Parliament for the purpose of settling the debts.

309. What was the amount of the sum which was placed at your disposal by Parliament?—£.225,000, and we awarded 214,784 *l.* leaving a surplus of 10,216 *l.*

310. I believe that your report states the various amounts of the deductions which were made from the original debts?—Yes.

311. Will you read the portion of the report which refers to that subject?—Yes. The aggregate debt of the six counties was commuted at a reduction of about 27 per cent. on the nominal amount. There were in all 31 trusts in the six counties; and in 15 of those trusts the bondholders received par; in nine of the trusts they were paid at a discount of from 10 to 20 per cent.; in five of them at a discount of from 20 to 50 per cent.; in one case 20 per cent., and in one case 10 per cent. only on the nominal amount.

312. Was there any power of appeal from your decision?—Yes, but the power of appeal was only exercised in the case of two trusts, and Sir John Pakington and Mr. Nassau Senior, who were the referees, confirmed the awards which the Commissioners had made.

313. Lord *Henley.*] The sum of 225,000 *l.* which you have already mentioned was advanced by Parliament for the purpose of settling the debts of the trusts?—Yes.

314. Mr. *Bruce.*] When was that arrangement completed?—In the year 1845; our last report is dated the 29th September 1845.

315. Will you inform the Committee under what circumstances and by what means the debt was liquidated?—The Government advanced, through the Exchequer Loan Commissioners, this sum of 214,784 *l.*, which was to be repaid by 30 annual payments, combining the payment of interest at 3 per cent., and a portion of the principal. Nineteen of those annual instalments have been already paid, and in 10½ years the whole debt will be extinguished.

316. The arrangement was that the county rates should supply any deficiency in the tolls?—Yes; there was a power to impose a road rate to cover the deficiency.

317. You cannot say whether, in all the counties of South Wales, that rate has been raised or not, can you?—No; I am not aware whether it has or not; that appears in the annual reports presented to Parliament, but I do not recollect.

318. In the meantime, the power of levying tolls from passengers was taken away in every case, except where the turnpikes were six miles from each other?—The Act provides that there shall be an interval of seven miles between the points at which tolls may be taken; the rate of toll is uniform throughout the six counties.

319. *Chairman.*] What is the date of the Act of Parliament?—1844; it is the 7th and 8th Vict. c. 91.

320. Mr. *Bruce.*] I believe that no arrangement has been made by the Act, and no recommendation made by the Commissioners with regard to the future of those turnpikes when the Act expires?—No.

321. May I ask whether you have considered that subject?—No, I have not considered the subject. I find, by the returns, that the present tolls now considerably more than pay the repairs of all the roads, and therefore, when the payment to the Exchequer Loan Commissioners ceases, the tolls will be more than sufficient to keep the road in repair.

322. As a general rule, do the tolls now contribute something towards the payment of the debt, as well as to the repairs of the roads?—Yes. Previously to that time the roads in some of the counties had been repaired to a very large extent by the parishes.

323. Colonel *Pennant.*] Are you aware at all of the origin of those disturbances in South Wales which led to this amalgamation of the trusts?—Yes. I was secretary to the Commission which inquired into those disturbances.

324. The cause of the disturbances was the establishment of a great many independent trusts I believe?—Yes; the establishment of a great many independent trusts under which tolls were payable at very short intervals. Sometimes as many as three tolls were claimed within as many miles. They were very hard times for the Welsh farmers. The grievance was very severely felt and at last they took the law into their own hands and pulled down the gates.

325. One of the features of your scheme was to consolidate the different trusts?—Yes.

326. In doing which you were enabled to fix the distances of the gates from each other?—Yes.

327. *Chairman.*] Were the trusts conterminous with the counties?—No; we had to arrange that matter. The Commissioners were empowered to apportion the debts upon those trusts which ran into more than one county, and to assess the portion of the debt to be fixed on each county.

328. You separated the counties?—We separated the counties and the roads.

329. Colonel *Pennant.*] Are you able to state what led to the establishment of those small independent trusts?—I suppose it was that persons resident in the counties, who wanted roads made applied to Parliament for turnpike bills, and got them without much regard on the part of the Legislature to existing circumstances of other trusts.

330. Was there much mineral working in the districts in question, so that a heavy mineral traffic was induced on the roads on which the gates were erected?—There was in some counties in Glamorganshire for instance, but not in the agricultural counties.

331. You are aware that in the mineral working parts, there is a good deal of iron traffic independent of the coal traffic?—Yes.

332. And that that iron working is not rateable?—No; I believe not.

333. I mean not the mines?—No.

334. Then, supposing that the toll-gates were abolished, and the repair of the roads thrown upon the rates, the mineral working of the iron would not be rateable towards the repair of the roads?—Not unless the law was altered.

335. Do you know that a Committee sat two years in this House upon the rating of mines and ended by doing nothing?—I was not aware of that.

336. Do you not think it would be a hardship, if the mines, the working of which produced the traffic, were not rateable, while the parishes around had to repair the road?—Yes, but I am not aware how the mineral traffic is chiefly conveyed, whether by railway or by road.

337. Lord *Henley.*] Will you be kind enough to inform the Committee whether, under the arrangement

arrangements made in 1844, you were enabled to reduce the tolls very considerably in the districts to which the money was advanced?—Yes; the tolls were very greatly reduced.

338. Sir *William Jolliffe.*] By the consolidation of those trusts, was there a very considerable saving in the management effected?—Yes; it must have been so, because each district had its own separate paid officers, and there was after the consolidation a great reduction in the salaries, and a great diminution of the power of making improvements.

339. Was there any power for those consolidated trusts to raise money for further purposes?—Yes, I think so; but I believe the power is subject to the approval of an engineer, an officer who acts as general superintendent of the South Wales roads; I am not very clear in my recollection, but I think that the power was restricted in that way.

340. *Chairman.*] Had you anything to do with recommending this substitution of consolidation for the old system?—Yes.

341. That was in 1844, was it not?—Yes.

342. Was that before the introduction of railroads into South Wales?—I suppose it was.

343. I presume you had in view what is called the "long traffic"?—Yes.

344. Would you make the same recommendation now?—As regards the consolidation of trusts, I certainly should.

345. But would you consider the collection of tolls from the "long traffic" as valuable now as it was then?—No, not so valuable.

346. Taking it as a question between a rate and a toll, would you now be disposed to recommend a toll as strongly as you did in 1844?—No; the introduction of railroads has so far altered the case, that it is now much less strong than it was then in favour of tolls as against rates.

347. Mr. *Bruce.*] The arrangement, with respect to the payment of the debt, by throwing upon the county rates that which the tolls would not furnish, was the same in all the six counties in South Wales, was it not?—Yes.

348. Did it strike you, with regard to any of the counties, that there was any hardship or great inequality created by taxing the whole of the county for the relief of the particular districts?—No; I do not recollect to have considered that there was any hardship of the kind.

349. Then, on the whole, I presume the turnpike roads in each of the counties in South Wales provided the principal means of communication over the whole of the county evenly?—Yes.

350. If it had not been so, and if the benefit of the turnpike road had been confined to one portion of the county, it might have been a question whether the county rate ought to bear the burden?—Yes.

351. Mr. *Alcock.*] You were asked whether you remembered the origin of the Rebecca riots, and you said you believed that the number of the tollgates had been increased; but do you recollect that there had been great fraud and abuse besides, the tables of tolls even having been altered from 6 *d.* to 8 *d.*, or 1 *s.*, and so on?—I believe there was something of the kind; but I think the great cause was the multiplication of the tolls within short distances, in consequence of the number of intersecting trusts; and I say that, chiefly because the gates that were pulled down were in close proximity to other gates belonging to adjoining trusts.

352. Referring myself for a moment to a case in which I saw that a gate had been pulled down by the Rebeccaites, because it was supposed to be built on the County Bridge at Aberavon, (about which, I believe, I wrote to the Commissioners), let me ask you whether you did not find cases in which there had been abuses of the law?—Yes; we found several cases in which the law had been strained, or abused.

353. Mr. *Bruce.*] Is there anything else which you wish to say to the Committee?—I may make one more remark bearing upon the financial part of the arrangement. That in consequence of the mode in which the debt was to be redeemed, the payment for interest and principal together exceeded by a small amount only the previous charge of the interest alone (the figures being *5l. 5s.* per cent. as against *5l.* per cent). We reduced the burden by striking off the dead interest, so that the charge which included both principal and interest, was but a fraction more than the interest had previously been.

354. Which did not provide for the extinction of the debt?—Just so.

Lunæ, 18° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Alcock.	Sir William Jolliffe.
Colonel Barttelot.	Mr. William Legh.
Mr. Sclater-Booth.	Mr. Mildmay.
Mr. Clive.	Colonel Hussey Packe.
Mr. Dodson.	Colonel Pennant.
Mr. Fenwick.	Colonel Smyth.
Sir James Fergusson.	Mr. Walter.
Colonel French.	Mr. Western.
Lord Henley.	Mr. Wrightson.

GEORGE CLIVE, Esq., IN THE CHAIR.

ALEXANDER MACDUFF, Esq., called in; and Examined.

A. Macduff, Esq.

18 April 1864.

355. *Chairman.*] WHAT are you?—I am a landed proprietor in the county of Perth.

356. I believe that you are very conversant with the changes which have been recommended with regard to turnpike trusts in Scotland?—I am, having acted as Secretary to the Royal Commission on the subject of roads in Scotland.

357. Sir *James Fergusson.*] In Scotland there was no annual statement or a return of the position of the different trusts in existence when the Royal Commission sat, was there?—Yes; there was one made up annually for Parliament, but it had been in arrear for three years.

358. So that it was necessary for the Commission to examine, personally, the condition of every road in Scotland?—Yes.

359. And I believe the result of that examination was, that the real value of the debts bears a very small proportion to the nominal amount?—Yes; nominally the amount was 2,300,000 *l.*, and judging of the real value by the amount of interest annually paid, that amount must be reduced by about one-half.

360. But before any change could be made for the improvement of the turnpike system, or the substitution of an assessment, we found that it was necessary to create a machinery for the valuation and extinction of the debt?—That was absolutely necessary.

361. And that in fact constituted the chief difficulty in the way of the improvement of the system?—It did.

362. Where a system has already been established for the valuation of the debt, and where its extinction is in course of operation, there would be a much greater facility for the abolition of tolls?—Yes; the process would be very much simplified.

363. In fact this Committee having evidence that in England the valuation and extinction of the debt is rapidly going on, and that a system is already existing, of parochial rating in aid of tolls, where the latter are insufficient, the abolition of tolls would be very much easier than we found it to be in Scotland?—Certainly.

364. We found that a vast improvement might be made in the turnpike system by reducing the debt and consolidating the trusts without abolishing the tolls?—Yes, certainly; irrespective of assessment altogether, we thought that the system might be very much improved were a number of small trusts done away with and larger areas embraced.

365. You recollect, I suppose, certain instances where such an improvement was conspicuous?—Yes, more especially in Mid-Lothian.

366. Can you recollect the amount of debt that had been reduced in the county of Mid-Lothian, and the evidence that was given with regard to the improvement of the roads simultaneously with that reduction?—I can refer to the figures in this report: "The debt affecting the county turnpikes was at one time very large. In the year 1836 it amounted to 98,067 *l.* 12 *s.* 5 *d.*, but during the 23 years to 1858, upwards of 88,000 *l.* has been paid off, and the debt in 1858 amounted to only 9,659 *l.* 4 *s.* 7 *d.*"

367. Colonel *Pennant.*] That was under the consolidation of the different trusts?—Yes.

368. *Chairman.*] Were the toll gates kept up there?—Yes, they were; 87,000 *l.* had also been expended in improvements in addition during those 23 years, simultaneously with the payment of that large amount of debt.

369. Sir *James Fergusson.*] There have been great changes in point of economy, have there not?—There have been very great changes. The whole county is under the care of the surveyor, Mr. McConnell, and divided into sub-districts for the sake of management.

370. And I believe that the head surveyor receives a much larger salary than had been ever given before?—Yes, but it was found to be economy to give him a larger salary.

371. There was a change also in the system of collection, was there not?—Yes, instead of letting the tolls they collect them by paid collectors.

372. We had it in evidence, had we not, that the instances of peculation were very rare?—They were very trifling.

373. The general result was that by the consolidation of the whole of the roads of the county into five trusts, there was vast economy effected and the improvement of the roads and lower tolls?—Yes, and the cost of collection was about 10 per cent.

374. *Chairman.*] Do you mean 10 per cent including the cost of management, or the cost of collection only?—The cost of collection only

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But Mid-Lothian is an exceptional case, having such a large city as Edinburgh.

375. Colonel *Pennant.*] You had some arrangement, I believe, with Haddingtonshire, on the boundary, with regard to the payment of toll for people passing backwards and forwards on the boundaries?—Yes. There was one toll in that position.

376. Did that arrangement work satisfactorily?—No; it led to great dissatisfaction and heartburnings.

377. Sir *James Fergusson.*] One difficulty that was frequently suggested to us as being in the way of the abolition of tolls, was the difficulty of imposing an assessment upon mines and public works in proportion to the additional damage they might do to the roads?—Yes.

378. How was that difficulty proposed to be met?—We proposed that such property, mines, and public works, quarries, and that description of property, might be assessed at twice, three times, or four times the ordinary rate of the other property.

379. *Chairman.*] Are the mines rateable in Scotland generally?—Under our Statute Labour Acts they are not. The statutory assessment is now levied on the old valuation, which merely embraces land, therefore spinning mills, factories, and so on, are not included.

380. Sir *James Fergusson.*] That is not universal, is it?—It is very rarely the other way.

381. Colonel *Pennant.*] I believe that you have three or four different modes of valuation in Scotland?—Yes.

382. You have the old valuation upon 100*l.* Scotch and the new valuation roll?—Yes.

383. That valuation is fixed on the gross rental, and, except in the poor rates, there is no deduction from the gross rental?—No.

384. Some of the rates are levied on the gross valuation, and other rates, such as the poor rates, are levied on the rateable value?—Yes.

385. I believe that you have additional assessments in some counties on the old Ploughgate system?—Yes, but that generally resolves itself practically into an assessment on the real rental, because you take the average and convert it, but it is a very clumsy expedient.

386. There are those four different modes of assessment in Scotland?—Yes.

387. Does not the absence of any deduction from the gross rental value operate unfairly on different descriptions of property requiring different deductions from the gross rental, in order to keep them up to the real value?—Yes, more especially with regard to railways; and so much is that felt, that measures are being taken for obtaining a Bill for a more equitable valuation. The Commissioners thought it right that all lands and heritages, including railways, should be included in the assessment, because they did not think that Parliament would be likely to give any exemption to any particular class of property; but the view of the Commissioners was, that the valuation roll should be amended, and that a separate system of valuation for railways should be adopted. With respect to mines and minerals, the words of the report are, "In order to meet in some degree the undeniable specialities of such cases, we think that such property might be assessed at twice, three times, or even four times the amount of the ordinary rate, as the case might be, upon a warrant by the sheriff or other competent authority, grounded on a certificate by the surveyor, stating that the injury done to the roads in the course of a year, by the traffic arising from any particular quarry, mine, or work, exceeded double, three times, or four times the amount of the ordinary rate payable in respect of such property, the party on whom the surcharge is to be made, having power to appear for his own interest. But even in these extreme cases there ought to be a limit, and it would, perhaps, be proper that no higher amount than a fourfold rate should, under any circumstances, be allowed. Under such a scheme it would be unnecessary to encounter the difficulty and expense of an attempt to prove in detail the extent of annual damage, and assess for the exact amount, as has sometimes been proposed, if the sheriff were satisfied that the damage exceeded a given sum; and at the same time it might tend to a certain extent to remove the objections which in many quarters are entertained against uniform rating."

388. Colonel *French.*] Do you mean the ordinary rate in the county?—Yes; the ordinary rate in the county on other descriptions of lands and heritages.

389. Mr. *Sclater-Booth.*] Has that system ever been acted upon?—Not that I know of.

390. Sir *James Fergusson.*] We also found that a difficult question arose with regard to the share of rating to be allocated to the towns?—Yes.

391. Will you mention to the Committee what plan was proposed on that subject; what was the course which we proposed, in the cases of towns, in order that they might contribute to the general rating of the county, with regard to roads?—We proposed that the burghs should bear the expense of all the roads within the Parliamentary boundaries, and that there should be a general power of assessment, co-extensive with those boundaries under a system of assessment.

392. That property in towns could not be assessed together with the rest of the county?—Certainly not. We proposed to give them the option in any case where they felt that it would be for their advantage to be assessed with the rest of the county, as it would be with very small towns; but in ordinary cases we proposed that they should have the power of assessment within the Parliamentary boundaries, and that they should maintain their own roads.

393. *Chairman.*] Would that be simultaneously with keeping up the system of toll-gates?—Yes.

394. Do you mean in addition to keeping up the toll-gates?—It would be under a system of general assessment.

395. But not keeping up the toll-gates?—No.

396. Not in Mid-Lothian?—No.

397. It is the converse of that?—Yes, so long as the tolls are kept up.

398. You are now speaking of the other system after the abolition of the toll-gates?—Yes.

399. Sir *James Fergusson.*] We found that in many cases separate trusts existed for the support of bridges, did we not?—Yes.

400. And where separate tolls were leviable in respect of a bridge, or the maintenance of a bridge, what did we propose?—We proposed that the bridges should be dealt with in the same manner as the roads, and that, if an assessment was introduced for the county, the bridges should be maintained by the same assessment as the roads.

401. I think that those were the chief difficulties that stood in the way of the altered system?—They were.

A. Macduff, Esq.

18 April 1864.

402. At present what was found generally to have been the source from which the funds for the construction of the roads were to arise?—They were generally derived from proprietors in the district who had subscribed for the purpose.

403. The roads being constructed generally for the convenience of the district, and not for any revenue that might be expected to be derived from the roads?—Partly from both motives.

404. But, generally speaking, from the benefit to be derived to the district?—In many cases undoubtedly it was so.

405. And hence we did not consider that it would be unfair to lay on the land of the district the burden of maintaining the roads, seeing that they had been for the most part constructed for the benefit of the district?—We proposed that the maintenance of the roads should be laid one-half on the owners and one-half on the occupiers, under a system of assessment.

406. That being the common division of rating in Scotland?—Yes. We proposed that the assessment for the debt should be laid exclusively on the owners. I ought to add, that during subsisting leases we proposed that the whole assessment for the maintenance of the roads should be laid on tenants and occupants, because, under the present system, tolls are paid by the occupants.

407. Colonel *French.*] When the money was originally subscribed by the owners, did they apply to any authority to obtain power to make the roads?—Yes; there was a separate Act of Parliament for each road.

408. Colonel *Pennant.*] You cannot levy tolls without an Act of Parliament, can you?—Not without an Act of Parliament.

409. Sir *James Fergusson.*] I believe that the trustees are personally liable in Scotland for the debt?—Not in all cases; a considerable amount of the debt embraces the personal liability of the trustees; but also for a very considerable amount it rests on the security of the tolls, and there is no personal liability; there is 223,000 *l.* of debt on personal security, and 1,345,000 *l.* merely on the security of the tolls.

410. Is it not the fact that in Scotland there are few cases where the trusts extend beyond the limits of the county?—There are one or two, not many.

411. And upon what area did the Commissioners recommend that the debt should be allocated?—Upon the whole of the county.

412. The Commissioners reckoned that so wide a spreading of the debt was not unfair towards the different districts?—We thought not.

413. At present, what is found to be the general manner of the application of the revenue derived from those roads?—In Scotland the law differs very materially from the law in England. The revenues of the roads are in Scotland primarily applicable to the maintenance of the roads; whereas in England the revenues are primarily applicable to the liquidation of the debt.

414. There is no machinery in Scotland, at present, for supplementing the tolls by rates, is there?—No, not at common law.

415. The rule you mentioned just now is not absolutely universal, is it?—There is only one exception that I know of.

416. That is in the county of Haddington, is it not?—Yes, in the county of Haddington.

417. What did the Commissioners find had generally been the result of the construction of railways as regards turnpike roads?—We fou that it had had the effect of materially reduci in some cases, and in other cases entirely doi away with through traffic, and making the traf local, and cross traffic upon roads leading stations, and that it had the effect of driving t bulk of the traffic off the turnpike roads and lea ing it on statute labour roads.

418. And greatly diverting the traffic from i former position?—Yes, certainly.

419. So that the existing turnpikes in ma cases failed to check the traffic, and many of tho who used the roads did not pay for them?- Yes.

420. That was one of the reasons why t Commissioners found that spreading the liabili for the debt over the whole of the county was, the whole, the fairest proceeding?—Yes.

421. There is hardly such a thing now on t roads as can be called through traffic?—Ve little.

422. You mentioned that the recommendati of the Royal Commissioners was, that the roa should be supported in future by an assessme divided between the owners and the occupier —Yes.

423. What was the view of the Commissione upon the proposal of levying an assessment up horses?—The Commissioners considered th matter very deliberately, and came to be opinion that it was not desirable that that shou be the sole means, at all events, of raising assessment, but it seemed to be a course whi found favour in many quarters. The Comm sioners thought that an option should be allow to lay on half the assessment in that way.

424. That it should be optional to each count —Yes, optional to each county, but that horses should not be taxed alike; that agricu tural horses should be taxed at a lower figu than others, because they worked more in t fields than on the roads. The view of the Co missioners was, that the agricultural horses shou pay one-half the rate that other horses did.

425. With regard to the construction of ne roads, what was the view of the Commissioner —The view of the Commissioners was that ne roads should be put upon the same footing as deb in fact, that the assessment should be laid on t owners, but that in all cases of a new road bei projected, one-half of the amount for its co struction should be raised by the promoters a those more immediately interested in it. W thought it might lead to jobs if the whole expen of a new road were paid out of the general fu of the county; and we thought that it was a f test of the desirability of the road that the pr moters should be willing to pay half.

426. What was the governing body which proposed to establish?—We proposed to establi a County Road Board in each case:—"T general body of trustees should hold an annu meeting, and on them should devolve the duty appointing annually certain of their number a County Road Board, to whom the general contr of road management in the county should be e trusted, with all the powers now vested in t general body of road trustees, and especially th of appointing a county surveyor."

427. The Commissioners proposed also th the County Road Board should appoint a co mittee of trustees for the management of the d ferent districts, did they not?—No, they did n adopt that course; they divided the counties in district

stricts, but they allowed all the trustees in each district to form the District Committee.

428. One of the strongest convictions of the Commissioners was of the importance of having the superior management vested in one skilled official?—Yes; in the county surveyor.

429. Who should appoint his own deputies?—Yes.

430. And be responsible to the County Board for those deputies?—Yes; the surveyor was to be responsible for his subordinates.

431. And we found that there was no disadvantage in a person holding the position of county surveyor holding the same appointment in other counties?—No, there was no disadvantage in that, unless the area was too large.

432. The Commissioners thought the advantage to be obtained from having the best man greater than any disadvantage from his having other duties?—Yes; we found, in the case of Mr. M'Connell, who has the largest charge in Scotland, that his roads were the best kept roads.

433. Mr. M'Connell has counties in England also under his charge, has he not?—Yes, he has.

434. Would you state to the Committee the particulars of the composition of the County Board, and generally what its proceedings were to be?—We proposed that "the management of roads and bridges in each county should be vested in the trustees under the existing Acts, with the addition of all Commissioners of supply in each county."

435. Proprietors rated at 100 *l.* a-year real rental?—Yes; and combined with them there was to be the new feature of a certain number of tenants or occupiers to be elected by the ratepayers, either parochially or otherwise; the parochial system was what we thought desirable.

436. The Commissioners did not propose that the Board should consist of the whole of the trustees of the county?—No.

437. We contemplated that the Board should have, perhaps, 12 to 20 members?—Yes.

438. What proportion of elected members did we propose to have?—I speak of the trustees, and those trustees were designed to appoint the County Road Board.

439. Colonel *Smyth.*] Have the elected tenants any voice in that Board?—Yes, they have.

440. Sir *James Fergusson.*] The tenants elected by the ratepayers acting as trustees, with the trustees in right of property, were jointly to appoint a Road Board for the whole county, which was to consist of from 12 to 20 members, according to the size of the county?—Yes.

441. And that Road Board was to possess the whole administration in chief of the roads of all descriptions within the county?—Yes.

442. Colonel *Peunant.*] You have told the Committee that the result of the consolidation of the roads in Mid-Lothian has been very successful?—Yes.

443. And that the gates are continued, but that they are under one management?—Yes.

444. I believe you have already stated that that system has been attended with great economy, and the reduction of the debt?—Yes.

445. And that the roads are in good order?—Yes.

446. Now with regard to the other recommendation of the Commissioners, did your recommendation lead to any practical result in the way of any general legislative measure?—No. The Lord Advocate brought in a Bill founded on that recommendation, but he was compelled to withdraw it.

447. I suppose because the Bill met with so much opposition in Scotland?—Yes.

448. And nothing has been done in the way of a general legislative measure?—No; but at the same time individual counties have adopted that recommendation of the Commissioners.

449. But since then a few permissive Bills, that is to say, Bills which have been the result of the consideration of the subject in separate counties, have been brought before Parliament and passed?—Yes. I may mention that the Lord Advocate's Bill was permissive.

450. Then, I suppose, that the different circumstances of different counties led to the opposition?—Yes.

451. I believe that the first County Act that was passed with regard to the maintenance of roads upon an assessment instead of a toll system was in Caithness-shire?—No; I think it was Argyleshire, and Orkney and Shetland.

452. Then the next was Caithness, was it not?—Yes.

453. There I think the horse-tax system had been in operation under one of the old Acts, the Highland Road Act?—Yes.

454. Are you aware that evidence was given before the Committee which passed the Caithness Road Act that they had never been able to collect above one-third of the horse-tax; and therefore the Commissioners (though it was before that time) did not approve of the horse-tax, and only gave it as an alternative?—In some counties it would not answer.

455. The class of men to whom the horses belonged were so poor that it was quite impossible to collect the tax?—Yes.

456. And that idea has fallen to the ground in all those Acts?—In Haddingtonshire you have a horse-rate, I think; but I am not quite sure. The horses that you would tax most heavily would be the horses of the poor carters if you were to tax the horses according to the damage done to the road, and poor carters would be the least able to pay the tax.

457. In the case of Haddingtonshire, which was the last Act of Parliament passed, the subject had been under discussion for a long time?—Yes.

458. At last they had meetings?—Yes; they had meetings in the county, and they arranged the different portions to be borne by the landlords and tenants, and the formation of different districts in the county.

459. Would it not be desirable that this Committee should see the Act of Parliament which was passed last year in order to note the formation of those different Boards, and the security that was given for the prevention of any jobs, by returns to the sheriffs?—I think so.

460. But the whole of that Act was permissive, was it not?—Yes.

461. It was an Act adopted by the county, was it not?—Yes; I am not conversant with the terms of the Act. I have not seen it. There has also been an Act of Parliament passed for the county of Nairn.

462. And Elgin also?—And Elgin also; but the earliest Acts that were passed were those of Argyleshire and Orkney, before the sitting of the Scotch Road Commission.

463. In the Haddington, Elgin, and Nairn

A. Macduff, Esq.

18 April 1864.

Acts of Parliament, the turnpike gates were left open until the debt was liquidated?—In Haddingtonshire it was so. I do not know about the other cases; but that was against the recommendation of the Commissioners.

464. But that was the result?—Yes.

465. *Chairman.*] Is there much mine traffic on roads in Scotland now?—In some parts there is very heavy mine traffic.

466. Can you state in what counties that heavy traffic is?—In Renfrewshire, and Lanarkshire, and Ayrshire.

467. Have they got assessment Acts in any of those counties?—No; not yet.

468. Have they abolished their gates?—No; not yet.

469. Sir *James Fergusson.*] Those were the counties in which the chief opposition arose?—Yes.

470. *Chairman.*] Are you aware of the opinion of the late Mr. Telford and Mr. M'Adam, as to the animals that wear out roads the most?—No; we had evidence that it was sheep.

471. Did you ever hear of its being geese?—No.

472. The late Mr. Telford and Mr. M'Adam said that horses did more injury to the roads than any other traffic, are you aware of that?—No; I am not aware of that, we had evidence from one road surveyor that sheep traffic was the worst.

473. What is your opinion at the present time, with regard to this question between consolidation and assessment?—I am still favourable to the introduction of assessment, on the condition of its being permissive.

474. You are in favour of an assessment, provided that it was permissive?—Yes.

475. What is the reason why you think that in Mid-Lothian the other system is more applicable?—The reason I think so is just this, that a large portion of the tolls in Mid-Lothian, are paid by parties who live within the city of Edinburgh, who would not be hit by the assessment. There is a *cordon* of tolls round the city, and the people within the city, and their horses would not be hit by a county assessment.

476. How do you connect that with your other statement, that assessment was desirable in some large towns for the support of the road in certain districts?—On general principles we thought that it was a fair thing. Within the town boundaries the roads are the most expensive to keep.

477. Why would not that apply to Edinburgh?—The people of the county would not like the change, and they opposed it very much,

478. But even in that case you think an assessment better?—Yes; in the case of an ordinary county where the towns are not extremely large, and where there are few of them, I think that the assessment system is the fairest system; in fact, it is becoming a matter of necessity in many counties, from the small branch railways springing up; that is the case in Aberdeenshire and elsewhere.

479. The Committee have before them a Report of this House, in 1836, in which it is said that turnpike trusts are an impediment to free intercourse, to the transit of commodities, and so on; are you of that opinion?—I have no doubt they are.

480. Mr. *Alcock.*] With regard to the 10 per cent. cost of collection which you have spoken of, is that in Mid-Lothian?—Yes.

481. How many miles of road have you in Mid-Lothian?—Four hundred and twenty-eight miles.

482. What is the amount of the tolls, and the number of gates?—There are 80 gates; the average revenue is 18,600 *l.*

483. Is that let, or do you hold that in your own hands?—No, the tolls are collected.

484. They are not let?—They are not let.

485. Sir *James Fergusson.*] The average is 25 *l.* a gate?—Yes.

486. Mr. *Alcock.*] The tolls are received by you, are they not?—Yes.

487. By the collectors appointed by the trustees?—Yes.

488. That 10 per cent. is the expense of the toll collection alone?—The toll collection alone; the expense of maintenance, including surveyor's salaries, is 14,000 *l.* a year.

489. But the expense of collection is only 10 per cent. on the 18,000 *l.*; it is 1,800 *l.*, in fact?—Just so.

490. That has nothing to do with repairs and expenses in other ways?—No, nothing whatever.

491. Lord *Henley.*] About mines; I believe you stated that the Commissioners proposed to lay upon mines four times the amount of rating laid on other property?—That was only a recommendation.

492. Is not the traffic of the mines carried in a great measure by railways?—In many instances it is, but a great portion is carried on roads too.

493. I understood you to say that the interest of the debt was to be paid by a rate on the owners, and that the repairs were to be carried on by a rate on the occupiers?—We intended that the debt should be paid off at once.

494. How do you distinguish between collecting by rate on the owners and on the occupiers; would not the occupiers pay both rates in the first instance?—That was a matter of adjustment, it did not necessarily follow; the owners might be assessed directly for the debt, and as tenants for the maintenance of the roads.

495. I suppose that the owners are non-resident?—Many of them.

496. Would it not therefore be very difficult to collect the rate?—I think not.

497. Mr. *Wrightson.*] There has been some apprehension in England, with regard to giving a large extent of mileage to particular surveyors; has that been felt in Scotland?—We went very much on the evidence of Mr. M'Connell; the question was put to him, "What extent of miles of road do you think that one surveyor is able, properly, to superintend, without the assistance of a horse, supposing his district to be concentrated, and that he should not have to go more than 10 miles from home, also what would be the difference if a horse is allowed?" (*See* Q. 528, *postea.*) With regard to a county surveyor we thought he might take charge of a very large district. The Highland roads and bridges under the management of Mr. Mitchell, of Inverness, were of a very large mileage, and they were found to be excellently kept, and Mr. M'Connell is another instance of that.

498. *Chairman.*] The conclusions that the Commissioners arrived at were pretty nearly these—that the larger the area the better the roads were kept?—Up to a certain amount it was so; but none of our counties are too large for one surveyor, in many cases they might be combined.

499. Sir

499. Sir *James Fergusson.*] Provided you had skilful surveyor?—Yes.

500. Colonel *French.*] The Highland roads were made at the public expense, and were supported for a considerable time by a grant by Parliament, were they not?—Yes, which is now withdrawn; they are now thrown on the counties.

501. You stated that in Mid-Lothian you found the greatest possible advantage from consolidating large areas?—Yes.

502. And putting them under the control of one officer?—Putting them under the control of one officer.

503. Are you aware that that has been the system in Ireland, that counties are intrusted to the management of one officer and one engineer?—Yes.

504. And the effect of this arrangement of consolidation has been that from a very large sum of money (90,000 *l.* odd) you have reduced the debt to 9,000 *l.*, and you have expended something equal to a sum of 85,000 *l.* or so, on the repairs of roads?—Yes. There is a very striking fact with regard to the roads in Ireland, which you will find in the Returns presented to Parliament in 1833, 1844, and 1854. You will find the result of the system at page 87 of the Report of the Commissioners for inquiring into matters relating to public roads in Scotland, in these words: "The facts of perhaps greatest importance made apparent by the above return, seem to be in connexion with the item of road maintenance, which alone occasions about two-thirds of the annual expenditure for county works. The mileage under contract has been nearly quadrupled between 1834 and 1854. The average cost per perch has decreased from 7·07 *d.* in 1834 to 5·88 *d.* in 1844, and 6·09 *d.* in 1854, although the price of labour has been nearly doubled within the time, and a great improvement has taken place in the state of the roads."

505. What is the number of miles in Scotland under the turnpike system?—Five thousand six hundred and seventy-eight; there are 14,000 miles of statute labour roads.

506. Do you know what the number of miles in Ireland is?—I do not.

507. It is over 50,000 miles, I think?—I dare say.

508. Now you propose to take a portion of the Irish system; that is to say, appointing a county inspector?—Yes.

509. What salary do you give Mr. M'Connell?—At present Mr. M'Connell is paid by each turnpike trust.

510. Is it 500 *l.* a year altogether?—I do not know; it must be very large; it must be more than that.

511. Is it 500 *l.* a-year from the county of Mid-Lothian?—There is 1,306 *l.* paid for surveyors in the county of Edinburgh; that is to Mr. M'Connell and all his subordinates, being 3 *l.* per mile.

512. I think you stated that the expense of the collection of the tolls was about 10 per cent?—Ten per cent. in the county of Edinburgh.

513. Is that generally the rate?—We were surprised at the small amount of it, because it has been given out that the expense of the toll-system is very much greater.

514. That is 2 *s.* in the pound, is it not?—Yes.

515. In Ireland it is done at 9 *d.*, 6 *d.*, and 1 *d.* at the very outside?—It may be so. The cost of collection depends on the amount to be collected.

516. You also stated that the railways have taken the greater quantity, and, in fact, almost all your through traffic?—Yes.

517. It being mere lateral traffic that now goes?—Yes.

518. Has that relieved the counties at all; I suppose not; the roads are supported by turnpikes, I suppose?—They are supported by the turnpikes.

519. How are the tolls to support the Highland bridges kept up; do you rate the shooting?—Do you mean under the assessment?

520. Yes?—In Argyleshire, which is the only Highland county where they have an assessment, the shootings are now rated.

521. Mr. *Walter.*] I understand you to say that the Highland roads, which used to be supplied by the Government, are now maintained by the counties?—Yes.

522. Do any facilities exist for the making of new roads in that part of the country where there are Highland roads; could it be done by the county rate?—No, not at present.

523. Do you know a road from a burgh called Beauly, in Inverness-shire, which passes along Strathglas, and stops near the shore of Loch Obriachan?—No, I do not.

524. It is a remarkably fine road, running through a very fine part of the country; I want to know how it is made, and by whom maintained, and whether there are any facilities for prolonging it?—I think that was one of the Parliamentary roads.

525. Colonel *Barttelot.*] I understood you to say that the owners are assessed for the debt, and the occupiers for the maintenance of the road?—That was what the Commissioners recommended.

526. That would be the same thing, would it not, as if it were all placed on the owners; and tenants in taking a farm, would take that into consideration?—That would be so in the long run.

527. Do you think that a competent surveyor could look properly over more than 200 miles of road?—There are two classes of surveyors: one is the head surreyor, the county surveyor. He might overlook a very large amount, because he has chiefly to superintend the actual surveyors, those who have the actual charge of the road take a much smaller portion than the head surveyor.

528. *Chairman.*] Your idea is that of one chief surveyor and a number of subordinates?—Yes. Our chairman put in writing to Mr. M'Connell that query, and he answered it as follows: "You wish for my opinion as to the number of miles of road that one surveyor is able properly to superintend without the assistance of a horse, supposing his district to be concentrated, and that he should not have to go more than 10 miles from home? also, what would be the difference if a horse is allowed? It being understood that the statute, labour and turnpike roads are all under the same management, and that the question merely refers to the ordinary average of roads, excluding as exceptional those in the immediate vicinity of a large town. Supposing a surveyor to be in charge of a district of roads requiring for their maintenance an expenditure varying from 5 *l.* per mile per annum on statute labour roads to 40 *l.* per mile per annum on turnpike roads, he ought to inspect the greater portion of his charge once in every week." That is the subordinate. "His charge, therefore, under the favourable circumstances specified by you ought not to ex-

A. Macduff, Esq.

18 April 1864.

tend over more that 60 miles, if no allowance for a horse is made, or 100 miles with that allowance."

529. That is the Deputy Surveyor?—Yes. A subordinate, "Wherever the nature of the district admits of it, superintendence is more effectually carried on when the surveyor is enabled to keep a horse: this arrangement is also more economical as in the one case about 80 *l.* per annum would be required for the superintendence of 60 miles, while in the other case about 125 *l.* per annum would suffice for the management of 100 miles."

530. Colonel *Barttelot.*] How many miles of road are there to every thousand acres of land, do you suppose?—It would only be an average guess. The circumstances of Scotland are so varied that I could not give anything approaching to accuracy.

531. Mr. *Sclater-Booth.*] With regard to the rating of mines, you say that the proposal of the Commissioners has never been acted on, with regard to the rating of mines and brick fields?—I believe not. But very few Acts of Parliament have been obtained.

532. But are you aware of any case in which the proprietors of such a work have consented to pay by voluntary contribution?—Yes; we had such cases in evidence. There was one case in Renfrewshire.

533. You must see that any proposal to put a special rate on such property would be in the nature of a general proposal affecting the ratepayers, and would have no special bearing on turnpike roads not parish roads?—Just so.

534. Mr. *Dodson.*] You have said that a great portion of the traffic of mines was carried along the roads?—Yes.

535. Is that short traffic to railway stations?—Very much so now.

536. Are there horse-tramways in use at all at the mouths of the mines?—Not to a great extent.

537. I believe that a portion of the local rates in Scotland are now levied on owners?—Yes, they are.

538. Therefore no practical difficulty has been felt in levying the rates partly on the owners and partly on the occupiers?—None.

539. Therefore that would not be the introduction of a new system?—No, it would not.

540. Colonel *Pennant.*] Do you know whether, previous to any alteration in the system in Scotland, the cost of the repairs of statute roads is leviable by the parishes, or have you a more extended area for the repair of those roads?—It varies very much in different counties. In some counties the area of statute labour management is the parish, and the assessment is limited to roads within the parish. In other counties it is limited to the districts of the counties including several parishes, and in others it is the whole county.

541. But you have never had the parochial system in Scotland entirely as in England?—Only in some counties.

542. With respect to the length of road which one surveyor could overlook efficiently, that would vary, would it not, according to the circumstances of the network of roads in a district; where many roads diverged from one point, it would be better than one long road?—The report says: "We do not think it necessary that the services of a surveyor should be confined to a single county. The superintendence of one individual may be extended over a large district, and over many miles of road, if his staff of subsurveyors be sufficient, and his system properly organised. Upon this point each County Road Board may be permitted to exercise its own discretion, making due provision that the person appointed should not have a larger sphere of duties than he can efficiently discharge. As an instance of extensive supervision, we may refer to the case of Mr. M^cConnell, who acts as surveyor for the whole roads in the counties of Edinburgh and Forfar, besides numerous other roads in at least six other counties in Scotland, and also for certain other roads in England. We may also notice the case of Mr. Mitchell in Inverness, whose charge extends over seven of the northern counties, besides portions of roads in three others, embracing a total extent of upwards of 1,200 miles."

543. Colonel *French.*] Are you aware that in 1857 an Act of Parliament was passed which abolished all the turnpikes in three provinces in Ireland?—Yes, I am aware of that; we had those reports before us and also the Welsh reports.

544. *Chairman.*] You were asked with regard to new roads; do you consider that the abolition of turnpike trusts would be any impediment to the making of new roads?—Not at all.

545. Do you consider that the existing mode of levying tolls is necessary to the construction of new roads?—Certainly not.

546. Colonel *Pennant.*] You do not think that in a long county in England there would be any difficulty in getting the Quarter Sessions to borrow money for any new road that might be wanted in any part of the county?—I think not if the road was really wanted, the test of which would be that the promoters of the road would raise one-half of the money.

547. You would make it subject to that condition?—I would make it subject to that condition.

548. *Chairman.*] Is there anything further which you would wish to add to your evidence?—I think not.

The Hon. and Rev. Gustavus Talbot, called in; and Examined.

Hon. and Rev. *G. Talbot.*

549. *Chairman.*] You are the Rector of Withington, in Gloucestershire?—I am.

550. And you are Chairman of the Northleach Highway District?—I am.

551. Which consists of 25 parishes?—Which consists of 25 parishes.

552. Do any number of those parishes contribute to the turnpike trusts?—Fourteen parishes contribute to the different trusts.

553. What is your experience with regard to the working of the turnpike trust system?—I think that for the contribution of each of those parishes, the contribution orders cost a great deal, and increase the expense of the roads. The cost of those contribution orders is about 14 *l.* in the aggregate.

554. Do you believe that it would be desirable to consolidate the whole management of the roads of the county?—Certainly; we should reduce the staff to one half. You could, instead of two surveyors,

eyors, get one, and an unpaid treasurer. The easurer of the Trust is paid, while the treasurer f the Highway District is unpaid, and is very lad to get the appointment.

555. You mean that it would be better to olish turnpike trusts altogether?—I would olish the turnpike trusts, and put the roads nder the management of the Highway Board.

556. Now, with regard to the traffic in your istrict since the introduction of railways, what is ie nature of your traffic now?—The traffic has ntirely left the turnpike road; it is purely local. here used to be nine four-horse coaches and two rge posting-houses in Northleach, both of which re now shut up, and there is not a single coach.

557. The traffic is purely local?—It is purely cal.

558. The persons who now pay tolls are those ho would pay the rate?—They are the same ersons.

559. Do you conceive that the existence of rnpike trusts and tollgates is any impediment the circulation of the country?—I think it is.

560. Have any catch-gates been put up in your eighbourhood?—No, we have no catch-gates.

561. What is the debt on that particular trust which you act as chairman?—We have no debt t all.

562. And yet the tolls are kept up?—Yes; e have a large contribution from the parishes; early half our receipts are contributions from arishes.

563. Supposing that there were a debt on your rust, what would be your view?—If there was debt I should do away with the gates, make a ate on the whole property, and pay it off.

564. In fact, you would in that case borrow oney and pay it off by instalments?—Yes.

565. And you think that that management ould be more economical?—Yes.

566. Is it the fact that the present manage- ent of the Highway District is much cheaper han turnpike roads?—It is much cheaper so far s we have seen it. The first half-year's account or 176 miles under the Highway Act was *l.* 12 *s.* 6 *d.*, whereas the cost of the turnpike rust for the whole year is 20 *l.* a mile; it is very ad material.

567. Is the same material used for the high- ay as is used for the turnpike roads?—The hard aterial; picked stone is used for the highway, nd dug stone for the turnpike roads.

568. Why is that difference made?—I think t is because the surveyor for the turnpike rusts thinks the soft material makes a better ace.

569. In that estimate of 20 *l.* a-mile, how much as allotted for the expense of collection and anagement?—About 5 *l.* a-mile.

570. That is 25 per cent. altogether?—Yes.

571. Colonel *Pennant.*] Which trust is that ou speak of?—The Crickley-hill Trust.

572. I understood you to say that there is no ebt upon that trust?—No.

573. Is that trust going on under the Continu- nce Act from year to year?—I hardly know.

574. You have a Board of Trustees, I sup- ose?—Yes, we have a Board of Commissioners.

575. They would know, I presume, in what osition they were with regard to their Act of arliament?—Probably they would; Mr. New- arch is our clerk.

576. Do the trustees have meetings annually? -Yes, annually.

577. There is no debt on your trust?—There is no debt.

578. What is to prevent you from applying to the Home Office to discontinue the trust, if that is the general wish of the district?—My own parish has but a very small portion of turnpike road, and we pay very little; other small parishes have two or three miles of it, and it would come very hard upon them.

579. Do you think that it would be an injustice to those parishes?—Yes.

580. But if the management of the roads was thrown on the Highway Board, the cost would come upon the parishes?—It would be rated in the same way.

581. Then there would be the same injustice, I presume, as under the old system, just as if it was thrown on the parish?—Yes, probably.

582. Is that the reason why your district has not applied to the Home Office to have it discontinued as a turnpike road?—No, I think not, because the Board has only just been formed.

583. The contribution for the repair of the roads comes parochially, so that that makes no difference; is not that so?—No; I should suggest that the Quarter Sessions should apportion the rating.

584. If it is generally felt that it would be desirable to have the gates discontinued and the trust abolished, is there anything to prevent your applying to the Home Office so that it should be done at once?—That might be done.

585. The surveyors attribute the greater expense of the turnpike road to the using of a bad material on that road, that is to say material which is inferior to that used on the highways?—Yes.

586. But does not the Board of Trustees control the surveyor in that respect?—They cannot always get good material, it depends very much on where the road is. On the highways we can pick that material, but on the turnpike roads we cannot always do that.

587. But if your district was inclined to abolish the turnpikes and take the repairs on themselves, there would be nothing to prevent their applying to the Home Office for that purpose?—No, I think not, if the expense was apportioned to the parishes.

588. *Chairman.*] You do not attribute the whole of the additional expense on turnpike roads to the difference of material, I think?—No. I attribute it to the extra expenses of the staff in a great measure.

589. Mr. *Alcock.*] Will you be good enough to tell me when your debt was paid off?—I should say about 10 years ago.

590. When were the parishes first compelled to make a contribution?—About the same time.

591. I think I understood you to say that you kept 176 miles of parish road in repair at 2*l.* 12*s.* 6*d.* per mile for the first half year?—Yes; that is not an expensive half year; the last half year is not made up.

592. And I think I understood you to say that the turnpike road costs 20 *l.* per mile?—Yes, for the whole year.

593. Lord *Henley.*] Out of the 25 parishes which you mentioned as being in this district, I think you said that 14 parishes contributed to the various trusts; in what manner do they contribute?—An order is made upon them by the magistrates.

594. They contribute out of the rates?—Out of the rates.

Hon. and Rev. *G. Talbot.*

18 April 1864.

595. And if the management were put on the Highway Board, on what area should you recommend the rate to be charged?—I would recommend it to be charged on the parish, as it is now.

596. With regard to the 20*l.* a-mile which you have spoken of as being the expense of maintaining the turnpike roads, does that 20 *l.* assume include both repairs and management?—Yes, it does.

597. Colonel *French.*] With respect to the rate falling heavily on certain parishes, if the tolls were swept away through the agency of the Home Office, would not that objection be very materially modified by a very large extension of the area?—Quite so.

598. You stated, I think, that in a particular road you had an occasional difficulty in getting good material?—Yes.

599. Does that difficulty arise from the distance of the fields where it could be got, or from want of the power of entering into lands to get material?—It does not arise from the want of power to enter into lands, because we have that power; it arises from the distance, and it is a very hilly district.

600. Is that the same power of entry under the ordinary system which we have in Ireland?—It is nearly the same.

601. Are the repairs of the roads in your neighbourhood executed by the county surveyor?—They are not executed by the county surveyor; they are executed by our own surveyors.

602. They are executed by your own surveyors without any competition?—Precisely so; we tried the contract system, and it failed entirely.

603. I suppose that you furnish your district officers with money from the rates in the possession of your treasurer to carry out the repairs?—Yes.

604. Sir *William Jolliffe.*] I think you stated the expense on this particular road to be about 20 *l.* a-mile a-year?—Yes.

605. What proportion of that 20 *l.* a-mile is contributed from the parishes?—£. 221. 4 *s.* 9 *d.*, and the receipt from tolls is 283 *l.*

606. Therefore, the contribution from the parishes is nearly one-half?—Yes; the tolls amounted to 261 *l.* last year.

607. *Chairman.*] What was the receipt from tolls before the introduction of railways?—Pretty nearly 1,200 *l.* a-year; one year it was 1,500 *l.*

608. Sir *William Jolliffe.*] That 20*l.* a-mile is the annual expense, is it not?—That is the annual expense.

609. I think I understood you to say, that the 2 *l.* 12 *s.* 6 *d.* a-mile was for half a-year, and that not the most expensive half year?—Yes.

610. Does not the expenditure depend very much on the traffic; the traffic on the turnpike road may be more than on the highway, may it not?—On some highways the traffic is more than on the turnpike roads.

611. I believe that the traffic is very much more equalised than it was formerly, as between the two classes of roads?—Just so.

612. I understood you to state that the turnpike road was not repaired with so good a material as your parochial roads?—No.

613. It runs through various parishes, and I suppose that the best material is to be found near or in your parish?—I have given you the expense of the whole of the roads in the 2 *l.* 12 *s.* 6 *d.*

614. You do not confine the repairs with this better material which you have alluded to, to your own parish?—No.

615. Mr. *Walter.*] I understand you to say, that you think the existence of the present system of assessing the rates upon the parishes, instead of upon the Highway District, is a great obstacle to getting rid of the turnpike system?—Yes, I think it is.

616. Do you think that there is any strong feeling in favour of maintaining a parochial assessment, in preference to an assessment either on Highway Districts or counties?—Certainly not.

617. You think that there is no practical difficulty of that kind?—None whatever; the feeling in any district is very much in favour of the abolition of the tolls.

618. Colonel *Barttelot.*] Have you any very large town in your district?—No.

619. Have you no pleasure town?—No; the town of Cheltenham is beyond my district.

620. Do you think that it would be a fair thing to throw upon the surrounding districts the pleasure traffic which would naturally come out of such a town as Cheltenham?—No, I should assess the towns, and catch the travelling public on the property which ought to pay.

621. Sir *James Ferguson.*] Do you not think that the benefit which the surrounding district derives from the neighbourhood of a large town, is comparable with the burden which the traffic coming from the town would throw upon the roads?—It depends on the distance.

622. But the traffic would be in the immediate neighbourhood of the town, where the benefit which would accrue would be felt?—Yes.

623. Mr. *Walter.*] Is it not the fact that there is a good deal of bleak hilly country about Cheltenham, which would derive no great benefit?—Just so.

624. Mr. *Western.*] Have your trustees ever considered the question of applying to the Home Office, with regard to the removal of the turnpikes?—It has never entered our mind, we never thought that it was possible.

625. Then supposing that the turnpikes were carried on in that county, of course with the expense of keeping the roads in order, you would soon become in debt if they went on much longer?—We should not allow ourselves to get into debt, because we should apply for a larger contribution from the parishes.

626. Have you any balance?—We have a balance of about 5 *s.* 6 *d.* in the treasurer's hands.

627. I cannot see how you can avoid getting into debt, unless you apply for a larger amount of contribution from the parishes?—I do not apprehend our getting into debt.

628. I think you stated that the whole of your traffic has gone to the railroad?—It has. There is one parish, which is rather a hard case in my Highway District, the parish of Aldsworth. It pays for three-quarters of a mile, 19 *l.* 3 *s.*, and it is also liable to pay two tolls under the same trust namely, Dauncey's Fancy. I mention that, because the waywarden of that parish applied to me, as chairman, at the last meeting of the Board to know if we would sanction his buying up the mortgage of the tolls, and he said that he would pay it.

629. Mr. *Dodson.*] You suggested that the Quarter Sessions might apportion the charge of maintaining the roads among the different parishes. On what principle do you think the Quarter Session

Hon. and Rev. *G. Talbot.*

18 April 1864.

essions could do that?—They might make a rate. hey might say what rate was to be paid by such town, taking the rateable value of the town.

630. I speak of the district generally?—I ean the parishes; I should not say "town" xactly.

631. You propose that the Quarter Sessions ould apportion the rate according to the rate- ble value of each parish?—Yes; it would be ery desirable to have a county surveyor of roads superintend all those Highway Districts and urnpike Districts.

632. Do you find that your trustees can get rough their business by meeting once a year? -Yes, quite so.

633. Colonel *Pennant.*] You spoke of one arish having two tolls to pay in a very short istance?—That is under the Dauncey's Fancy rust; in a distance of 15 miles they are liable pay two tolls.

634. Colonel *Smyth.*] Your one surveyor rules er about 156 miles?—Yes. The district is 176 iles, as previously stated.

635. Can he do that with ease?—Our present rveyor has not done it well, and we are going part with him; but under the gang system, ith a man for every 14 miles, the surveyor will e able to do it with ease.

636. What salary do you give your surveyor? —We pay him 130 *l.* a-year; it is not enough for the distance; he has to keep two horses.

637. Colonel *French.*] Is there any examination or qualification required for your surveyor? —No; the Board of Waywardens elect him, and they take the best or the cheapest man.

638. Is it necessary that he should be an engineer?—No; we have an election for a surveyor on Wednesday next, but I am afraid that the best man will not be selected.

639. *Chairman.*] Sometimes the surveyor is a bankrupt farmer, is he not?—I believe that the man who will be elected next Wednesday will be a clerk to an auctioneer, who has never seen the making or repairing of a road.

640. Colonel *Pennant.*] Is that selection in the hands of the trustees?—No; it is in the hands of the waywardens. I know of a very good man, a surveyor, who would do excellently, but I believe that the farmers will elect this auctioneer's clerk.

641. Mr. *Dodson.*] Is that because his salary will be low?—No. I think it is because he is a friend of the farmers.

642. Mr. *Western.*] Is there much fraud in the collection of tolls on your trust?—I think not.

643. Of course it is the business of the trustees to look after the collectors?—Certainly.

644. *Chairman.*] Is there anything that you would wish to add to your evidence?—No.

JOHN JAMES FOX, Esq., called in; and Examined.

J. J. Fox, Esq.

645. *Chairman.*] WHAT are you?—I am a Wool Merchant and a Commissioner for the bo- ough of Devizes.

646. Do you hold any office connected with ie roads?—Not more than our own borough oads.

647. Is there any debt on that trust of which ou are a commissioner?—I am summoned here give evidence more particularly in reference a trust which is now extinct. The ratepayers olished that trust themselves. I hold in my nd a printed document which is dated 1824, ith reference to the Market Lavington Trust. he debt on that trust, at that period, was 4,579 *l.* 1*s.* 1*d.*

648. How was that debt paid?—It has been aid chiefly by subscriptions.

649. By voluntary contributions?—Yes.

650. What induced persons to contribute?— imagine that the trustees were in a great diffi- lty, and that they thought the best way would to get rid of the trust altogether. They sub- ribed 2,000 *l.* odd for that purpose, and there as given up by the mortgagees 602 *l.* I think ey (the mortgagees) took 16*s.* in the pound of e debt.

651. The debt was paid off by voluntary con- ibution?—It was paid off by voluntary contri- ution. In addition to the property which they ad in hand, they realised some funded property hich they possessed, and which also they em- oyed, of course, to assist in the task.

652. What became of the toll gates?—Some them were pulled down and burnt, and there as a jollification over the matter; the most aluable of them were sold, and up to this day every February the people assemble to cele- rate the abolition of those tolls; I have never ined in the jollification myself. The Honor- le G. P. Bouverie was a contributor; he has roperty in the neighbourhood.

653. How are the roads repaired now?—They are repaired by rates levied on the parishes.

654. By the parishes?—Yes; they repair 21 miles of road, and there were nine gates. I have a return here of the expenditure for the years 1861 and 1862, ending at Ladyday, which was ordered by the magistrates under the Highway Act, and which shows what each parish contributes in the pound, how much each rate yields, how much the annual expenditure is, with the rate per mile. The figures vary very much.

655. How is each parish assessed?—On the basis of the poor rates.

656. Mr. *Alcock.*] Do you mean that it is according to the mileage?—Each parish pays its own mileage.

657. *Chairman.*] Has there been any inconvenience or complaint experienced from that mode of assessing the rate?—None whatever.

658. Do you think that it works much more satisfactorily than the old system?—Yes.

659. How does the town of Devizes pay now? —They are rated also, but the roads do not go beyond the town, not into the country; they have a very short mileage.

660. Have they any turnpike gates?—There are four turnpikes, one at each point of the town, but they are under a separate management; they are not managed by the inhabitants of the borough. I have here a more recent statement, coming down to 1864, regarding the cost of the Lavington Roads.

661. Mr. *Alcock.*] Your return shows 44 miles? —It was 21 miles of turnpike road, but there are parish roads also included in that return; they now work them together, and the expenses are all combined in one.

662. *Chairman.*] Are the roads in good order? —They are in very good order.

663. Do you recollect what state they were in before?—I have no recollection.

664. Therefore

J. J. Fox, Esq.

18 April 1864.

664. Therefore you do not know whether they are better or worse than they used to be?—They are quite as good, because they are quite as good as turnpike roads where there are gates in other parts of the country.

665. Yours is a case of voluntary abolition of the gates?—Yes.

666. Colonel *Pennant.*] Is there anything in the state of the law to prevent any other district doing the same thing?—I have no knowledge of anything. I think it is rather contemplated by the people of Devizes to get rid of the gates now. I think there is a mortgage debt of 900*l.* on the Devizes Consolidated Trust, which comprehends the roads surrounding the town, but not in the borough. The assumption is, that the property would realise about 400*l.*, and that therefore there would remain about 500*l.* to be paid off, which I expect would be soon done by contribution, as was done at Market Lavington.

667. Is there anything in the state of the law to prevent their doing that?—I am not aware of anything.

668. They can now by paying the debt and applying to the Home Office, get the trust abolished and the roads put on the parishes in the same way as highways, can they not?—I think so.

669. Mr. *Alcock.*] I suppose there are very few parishes which are disposed to be so very liberal as Devizes?—Market Lavington did it 39 years ago. We think that it would be to the benefit of the district entirely to abolish the tolls.

670. As you say that the people of Lavington (*vide* paragraphs 647 to 652) commemorate the abolition with such gusto, can you state whether there were any riots or disturbances formerly excited by the tolls?—No.

671. *Chairman.*] Not a thorough Rebecca business?—No.

672. Lord *Henley.*] I should like to know whether the rates charged now for the maintenance of those roads are charged only on the parishes through which the roads pass?—That is so.

673. It is not a district in which each parish pays whether the road goes through it or not?—No.

674. Therefore only those parishes through which the road actually travels have to pay?—Just so.

675. Colonel *Smyth.*] It is not a part of the highway district under the last Act of Parliament?—No. Some of the mileage rates are higher than others, which is accounted for by the fact of their having to fetch their materials from a greater distance, and having inferior materials, and also because the parish is long and narrow, and the road runs lengthwise, and not across it.

676. Lord *Henley.*] Is there any dissatisfaction expressed on the part of those parishes on whom the rate fell most heavily?—I have never heard of any dissatisfaction, because most of them were voluntary contributors. I can quite understand that persons may, under other circumstances, object to pay rates where they pay none now; but, in the case of Market Lavington, they were unanimous in their determination to abolish the gates.

677. Colonel *French.*] Your district, I believe, is not a heavy clay district?—No.

678. Mr. *Western.*] You said that they burnt all the gates. What did they do with the house —They sold the houses.

679. Colonel *Hussey Packe.*] Are you awa what is now the expense per mile of the maint nance of that Market Lavington road?—T average cost per mile is 12*l.* 3*s.* 2*d.*, and t average rating is 5*d.* in the pound. At Eastert the cost per mile is only 4*l.* 6*s.* 8*d.*; at Eastco it is less than that, being only 3*l.* 9*s.*; but Worton it is 25*l.* 19*s.* 2*d.*

680. What was the average cost per mile und the turnpike system?—I have not been able obtain that information; it is 39 years ago.

681. Mr. *Dodson.*] Was it more or less th than it is now?—I should think that it was rath more at that time; there would be additional e penses, for instance, salaries to surveyors, a other matters.

682. *Chairman.*] Has much of the traffic be diverted by railways?—Yes; before we had railway in the district we had about 30 coach through the town every day, and now we ha not one. There was a good deal of posting als but our present traffic is purely local.

683. Is it not the case that the persons wh pay rates and the persons who paid the tolls a in fact the same?—They are the same.

684. Was that fact taken into consideratio when the debt was paid off by voluntary contr bution?—I imagine so.

685. Have you anything to add to your ev dence?—It may be satisfactory to the Committ to know what the cost per mile of the Deviz District Trust is; it is very considerable; bei 68*l.* 4*s.* 7*d.* per mile.

686. Where does that road go to?—It is t through road from Bath to London.

687. Have you any idea what proportion th bears to the charge of collection and managemer inclusive of everything?—£. 1,842 would be t whole of it for the year.

688. What per centage would be attributed management and collection?—I am unable say. The trustees have adopted the requir ments of Sir George Grey for the last two yea and paid off 50*l.* each year of the debt owing, a they are intending to continue that. The Eve leigh Trust appears to be in a state of insolvenc within the last two years they have applied to t parishes for assistance.

689. Lord *Henley.*] How many miles is th trust?—It is 27 miles. They were able to co tribute very little to the repairs of the ro although they had got gates in existence.

690. *Chairman.*] What is the debt of t Everleigh Trust?—The debt is about 700*l.*

691. What is their annual take?—I have or got the parishes within the magisterial district Devizes; but they contribute 8*l.* 5*s.* to t Chirton parish, and the parish has to ra 154*l.* 13*s.* 4*d.* per mile per year; so that th contribution is a mere nominal sum compar with the amount which the parishes pay.

692. What is the reason of that falling off? One reason is the operation of the railways, a another reason is probably that the commission had, for want of funds, allowed the roads to into very bad condition. The crust was not t inches, and in some places not an inch thick.

693. Owing to bad management and bad pairs, and the traffic being taken off by the r ways, they have got to such a state that th must assess the parish in a very large proporti —It is so.

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JOHN EDWIN BRADFIELD, Esq., called in; and Examined.

694. *Chairman.*] I BELIEVE that you have been engaged for some years as agent for promoting the abolition of tolls in the metropolis?—Yes.

695. How many years have you been so engaged?—For eight years.

696. Are you now engaged as agent to any person?—Yes, I am engaged for the millowners and wharfingers on the south side of London with regard to the tolls on the Surrey side.

697. For what object are you engaged?—For the removing of tolls principally within the metropolitan area on the south side of the Thames.

698. Will you state to the Committee what in your judgment, are the obstacles to the removal of the whole of the metropolitan gates, including those on the Surrey side of the Thames?—The principal obstacle is the annual Act for the continuance of the turnpikes. In London, at the time of the sitting of the Royal Commission, there were 14 trusts, four have been removed, and another one, the fifth, was last year considerably modified by an inquiry, which took place under the Metropolis Roads Act. With the exception of the Finchley, the Commercial, the Poplar, and the Highgate Archway roads, all those trusts will expire before 1872, some of them have at present expired on the south side, the Surrey and Sussex has expired, the Kent road has expired, and the Greenwich and Woolwich Lower road has expired. The Bermondsey, Deptford, and Rotherhithe Act, will expire next year, so that unless there is something done this year, with regard to the Surrey side, the Annual Act will be renewed, continuing the whole of the turnpikes on the Surrey side of the Thames, namely, those who are within the metropolitan area, and there will be this strange inconsistency, that while on the 1st of July of this year, the Metropolitan Roads Act, removes 81 bar-gates, and sets free 50 miles of road, the whole of the south side of the Thames will be untouched, and the tolls will be kept alive by the annual Act, without any inquiry by Parliament. There are several trusts in London which are in debt, and there are a great number which are out of debt. Some of those trusts are perpetual, and some are for terms of years; but those trusts which are out of debt, I principally apply myself to. I believe that the whole of the Surrey trusts will have little or no debt next year. The Surrey and Sussex was an Act of Parliament which came before a Committee of the House in 1850. There was a very long inquiry, and the Committee threw upon the parishes a large proportion of the roads on the town side of the gates, because they were unproductive, as regarded the toll receipts, they renewed that Act for 11 years, and thence to the end of the next Session of Parliament, so that the Act virtually expired in the Parliamentary Session of 1862. In that year an application was made to the Secretary of State by me, on behalf of 3,000 householders and rated inhabitants, on the south side of the Thames, who were affected by the discontinuance of that Act. The case made out was thus, that it was unfair to let the parishes interfere, because the parishes were interested parties, and the parishes would oppose the removal of the gates, because they were interested. But, however, there the matter stands. That was placed in the schedule of the Act of 1862, and it is placed in the schedule of the Act of 1863. With respect to the New Cross road, and the Bermondsey road, they have been continued for some years by the annual Act. The Bermondsey Trust expires next year, but if nothing be done to alter the procedure under the annual continuance Act, the continuance Act this year will continue that Bermondsey Act until 1866. The annual Act was first brought in in the year 1831. The first Act of 1831 merely continued the Acts then expiring until the next year, for one year only; and so it was with the Act of 1834. In 1841 the terms were changed. That Act enacted that the trusts should be in force and effect in 1842, and if Parliament should then be sitting, until the end of that Session; so that in the year 1841 the practice was only to continue then from year to year. But, however, the Act of last year continues them until another year and anticipates it. With regard to the Bermondsey, Deptford, and Rotherhithe Trust, the Act expires on the 1st of January 1865, and it is to be continued until the end of the Session of Parliament then next following, so that the Session of 1865 would, under the terms of the Act, see its expiry. But the annual Act of this year will anticipate that Act, and continue it until 1866. That is felt to be a very great obstacle to the removal of the turnpike gates within the metropolis. But with respect to the particular trusts on the other side of the water which are out of debt, or will be so next year (on the Bermondsey, the debt if anything, will be very trifling indeed); it is a subject which I have been instructed to bring before the Committee; and I hope as you are inquiring into the mode of abolishing those trusts throughout England generally, that the case of these Metropolitan trusts will have some portion of your attention.

699. I suppose you mean so far as it applies to such trusts as are out of debt?—Yes. There are other trusts in the metropolis which are in debt.

700. I understand you to say with regard to the trusts out of debt, that you would exclude them altogether from the operation of the annual Act, and in that way throw the repair on the parishes?—Just so.

701. What is the general feeling of the metropolis on this subject?—I think that the feeling in the metropolis on the south side of the Thames is just the same as it was last year on the north side. You will have a great deal of parish opposition, and when it comes up to be tested it will all fade away. I do not think that a stronger case can be given than the way in which the Metropolitan Road Commissioners were treated last year; nearly every parish threw a difficulty in the way, but the Bill is passed, and it will come into operation on the 1st of July, owing to the determination of the Commissioners that the Bill should pass. It would be a most singular inconsistency if the north side of London should be toll-free at the instance of the Commissioners, who held a perpetual Act of Parliament while the tolls remained on the south side.

702. Do you see any objection to applying the same system where a debt exists?— I do not think

J. E. Bradfield, Esq.

18 April 1864.

think it is necessary in the metropolis. I think that we may leave the debts just as they are, and I will give you the reason why I think so. The Finchley Road Trust will expire in the year 1872. There is now a debt on that trust of between 20,000 *l.* and 25,000 *l.*; but it is in effect a proprietary trust, and it can have no case in the year 1872 to collect a toll, because it must show such a ruinous state of insolvency.

703. The debt will die away of its own accord?—It will be worth nothing.

704. Colonel *Pennant.*] How many trusts are in debt on the south side of the river?—There are no trusts on the south side of the Thames in debt, except Woolwich, which has a trifling debt; the parties (at Bermondsey) I think, will subscribe very readily so as to have the debt removed from their road, and that may be considered out of debt.

705. *Chairman.*] Do you know how many of the metropolitan trusts are in debt?—There are three: Finchley, Commercial-road, and Highgate. The Commercial-road Trust will expire in the year 1872.

706. What is about the amount of that debt?—It was stated by the clerks to the trustees on examination before the Royal Commissioners, that they anticipated at the end of their term that they would have no debt.

707. You think that the Finchley-road Debt will be in such a state that it must die, and the Commercial-road Debt will be paid off?—Yes.

708. What is the third case?—Highgate Tunnel. That was a compromise between the proprietors and the Government in 1861, and the compromise was this: that if the Act should be continued for 15 years, the Crown was to take 9,000 *l.* instead of 13,000 *l.* for the debt, and that at that time the trust was to be given up. I think that there is a great hope that, not many years hence, some arrangement may be made with regard to that; so that, with regard to the metropolis, I almost think that they will all be out of debt. There is a small perpetual trust in Poplar, called the Ferry, where there is a very trifling debt.

709. So you think that no arrangement throwing the debt on the proprietors, or otherwise, is necessary?—I think not. I think that the inhabitants of the metropolis would be perfectly satisfied if this Continuance Act should not take hold of the Acts of Parliament before they have expired, and continue them on; so that when they come to make inquiries they are really not prepared for the state that the turnpike system is in. I think that they are prepared to let things be as regards their debt. I think that the inhabitants of the metropolis would be very glad to see the tolls on the Finchley Road removed, and also on the Commercial Road; but I can see no means of doing it with the present debt; I cannot see that the parishes would agree to a rate on the north side.

710. You think, in fact, that nobody should pay that debt?—Yes; that it should be left just where it is.

711. Colonel *Pennant.*] You gave evidence before the Royal Commission of which Lord Eversley was Chairman, some few years ago, upon the subject of metropolitan taxation?—Yes.

712. You were then giving evidence on behalf of the omnibus proprietors, were you not?—No; that was a Committee of the House of Commons.

713. Did you not give evidence a year or two afterwards before a Parliamentary Committee of which I was a member?—Yes, in 1856.

714. Were you then acting for the omnibus proprietors?—For them as a portion of our Committee.

715. The omnibus proprietors would be benefited by the removal of the tolls?—Yes.

716. Are you in any way acting for those omnibus proprietors now?—No; I am acting entirely for the south side of the Thames.

717. Some years ago a Board was formed, called the Metropolitan Road Board, of which the Honourable Member Sir William Jolliffe and others were members?—Yes, many years ago.

718. Under the operation of that management, I believe that a certain number of roads have been entirely freed from debt, and that many of the gates have been removed from the metropolis?—Yes.

719. But there are certain trusts on the south side of the river, are there not, which are not under that control, but which are under the control of certain District Acts of their own?—Yes.

720. One, I think, is the Surrey and Sussex Road, and another of those would be the road which goes down to Kingston?—The Surrey and Sussex Road is one trust.

721. Does that include the road which goes down to Peckham?—Yes.

722. And another, I suppose, is the Vauxhall and Kingston?—That is the same trust. The New Cross is another trust.

723. Both of those trusts have come before a Committee of the House of Commons during the last 15 years, have they not?—The Surrey and Sussex Road came before a Committee of the House of Commons in the year 1850, and was renewed for 11 years. The New Cross Trust has expired for some number of years, and been continued by the Annual Act. That trust is out of debt; it expired in 1848.

724. On those occasions of coming before a Parliamentary Committee, some of the gates were removed from the immediate neighbourhood of the metropolis; there was one removed at the other end of Vauxhall Bridge, for instance?—In the year 1850, the scheme was to throw upon the parishes a certain portion of the roads nearest to town, and that scheme was, I believe, opposed by some of the parishes because they wanted the whole of the roads free; but the decision of the Commissioners was that it was necessary to throw those roads upon the parishes, because they could not collect tolls at those gates sufficient to pay for expenses and to meet the debt. The debt was then very large, and the Committee (of which the Right Honourable Baronet, Sir William Jolliffe, was Chairmain) gave 11 years for the continuance of that trust, and thence to the end of the next Session of Parliament. But when that trust has paid off its debt, it would surely be most unfair that those who paid toll should be compelled to pay the large sum of money necessary for keeping up the gates.

725. But at that time there were gates nearer to the centre of the metropolis, and there was a gate in the direction of New Cross pushed back, and another at the end of Vauxhall Bridge which was done away with?—Yes.

726. And certain portions of the road were thrown upon the parishes?—Yes.

727. You say that the Surrey and Sussex Trust is out of debt?—Yes.

728. And I understand your argument is that a further

further proportion of the road should now be rown on the parishes and the gates removed?—s; the parties whom I represent only go as as the metropolitan area. This Act is con-ued by the Secretary of State in the Annual t. In the Reports to Parliament you will see stated that the intention of putting the Acts in e Schedule is that Parliament may deal with em; but here is a large trust kept up and no quiry made by the House; the tolls are the me, and the trust is altogether out of debt.

729. But your immediate application has refer-ce to the metropolitan part of that road?—st so.

730. It is a large road, is it not, extending to considerable distance?—Yes.

731. There is another trust, the Bermondsey rust, which was brought before the Royal Com-issioners?—Yes.

732. What is the state of the debt upon that ust?—The Bermondsey Trust expires on the st of January next year; the debt is compara-vely small.

733. *Chairman.*] It is under 1,000*l.*, you think?—Under 1,000*l.* It is continued until the end f the Session of Parliament from the 1st of anuary 1865. The traffic coming south from ne Thames must go through that road.

734. Mr. *Alcock.*] You propose that the tolls hould be taken off all the roads which are with-ut debt?—Yes; that would be the effect of what am proposing.

735. How long is the Surrey and Sussex rust?—I think it is over 50 miles; it is 59 iles.

736. And you suggest that the tolls should be aken off that road?—Yes.

737. Do you not think that it would be also uite fair and reasonable that the tolls should be aken off all the roads that have no debt at all?—Yes.

738. And that would be a very easy thing to lo, would it not?—Yes, very easy.

739. Beyond the metropolitan district and verywhere?—Yes, everywhere.

740. You would take the tolls off all the roads hat have no debt at all?—Yes; 160, I believe, re continued, and you do not know where they re, except by going through the Acts. Some of hem have been continued for a great many ears.

741. How many trusts are there in existence which have no debt at all?—I do not know that.

742. How many trusts are there altogether, do ou know?—They are under 1,200, I understand.

743. Then, in fact, if the tolls are taken off all he roads that have no debt, that makes out that nore than one-third of the whole of the trusts would be discontinued at once?—I believe it is nly 160 that are continued by the terms of the Annual Act.

744. Then there are some tolls uncollected upon the roads that have no debt at all, that have n Act existing, and are not continued by the Annual Act? Epsom has no debt at all, and yet t must exist by its own private Act until the ear 1870?—I have looked upon it, that where an Act exists, it is a bargain between Parliament nd the different parishes. I have only dealt with hose trusts which are out of debt, and have expired.

745. *Chairman.*] I understand your view to be, hat in no instance would you keep up the tolls olely for the purpose of the repairs of the road?—In no instance would I keep the tolls solely for the repairs.

746. Lord *Henley.*] Did I understand you to saythat the Finchley Road is the only metropolitan Road on which there is any debt left?—The Finchley and Commercial Roads.

747. And the Finchley will expire in the year 1872?—Yes.

748. The road is in such a state of repair that the debt would be worth nothing?—The road is repaired by the two parishes wherein it is situate; the toll is kept up for the purpose of liquidating the debt.

749. But it will certainly not be liquidated by that time?—No; they do not pay 100*l.* for each 100*l.* now, and they have got a special Act of Parliament for all the tolls now.

750. What would you propose to do in such a case as that?—It is, I consider, a proprietary road, and a speculation.

751. I suppose it is entirely in the hands of private proprietors, who have subscribed, and made the road out of their own means?—I believe in that case that the parties who obtained the Act were landowners, and no doubt they were benefited by the road.

752. Would you allow the debt on that trust to expire altogether?—It will be in a state of insolvency; it will be valueless.

753. You would not propose to give to the holders of those bonds any advantage by any future Act of Parliament?—No. I would follow the precedent of the Great Dover Road case and the Kentish Town Junction Road case this year, when an application for the continuance of those trusts was rejected on the ground that they were speculative companies. The creditors in those cases were not bondholders, but the parties who obtained the Act of Parliament and the projectors of the making of the road.

754. Sir *William Jolliffe.*] Is it not the fact that the continuance of the trusts which you have just referred to was rejected not by any Committee, but in the House on the second reading of the Bill?—Yes. I speak of the Kentish Town Road.

755. There was a nominal debt, but it was not a bonded debt?—The debts on the Finchley Road are mortgages.

756. Lord *Henley.*] You say that you think the debt should be treated in the same way as the debt on those other roads has been treated; that is to say, that the Act should not be renewed, and that the owners of the debt should be allowed to lose the whole of it?—It will be found in 1872 that the road is placed almost isolated in the centre of toll-free roads; it would be almost absurd to imagine that any person will drive round that road and pay toll. The creation of new streets will give such facilities for the evasion of toll that the amount of toll taken would be very little indeed, and it would be almost valueless, being situated almost in the centre of a town.

757. *Chairman.*] Then, in fact, from the year 1872 you would leave those trusts to take their chance?—Just so.

758. Mr. *Walter.*] I think you said that difficulties were thrown in the way of the abolition of turnpike gates by the parishes?—Yes.

759. Does that arise, in your opinion, from the particular method of assessing the rates on the parishes according to the mileage rather than over general districts?—I think it arises from the general disinclination of the parishes to have an extra

J. E. Bradfield, Esq.

18 April 1864.

extra burden put upon them; I have heard of no further reason.

760. In your opinion, would an assessment by uniform rating over the general highway district be a fairer system or not than the present system of rating according to mileage?—It might relieve some poor districts, but it would be especially hard on others. I can see no other course than resorting to the old common-law liability under which the parishes were liable to repair the roads. These are exceptional trusts under Acts of Parliament, and when they have expired the original liability must come back; if there are exceptional cases of very great hardship, it is for those places to see to it.

761. According to common law, are the parishes liable to be rated according to their mileage, or according to their wealth?—I believe according to their poor-rate.

762. Is it not the case under the Highway Act, that parishes are rated according to their mileage?—I am not aware of that.

763. Might there not be cases of hardship where a small parish had a great length of road through it?—Yes; there are some very severe cases of hardship. I believe that there was one brought before the Committee of last year in connexion with the Metropolis Roads Act; that was the case of Hammersmith, where, I believe, 10 *d.* in the pound would be thrown on that parish by the removal of the Hammersmith and Kensington Gate. But it has already turned out that that parish was very low indeed in the shape of its rental, and that the frontage was built up with an inferior class of houses; consequently the Committee could only allow the Bill to pass, and let Hammersmith stand in the same position as other parishes: but the removal of that gate will increase building property, and gradually that 10 *d.* in the pound will come down to the same amount as in other parishes. It is supposed that it is a grievance that will be felt in every parish for some years.

764. You think that the fact of a road going through a parish in the metropolitan district is sufficient compensation for that parish, if a poor one, for the length of mileage thrown upon it for maintenance?—Yes; intercourse is facilitated, and more shops are erected, and so on. We have seen that illustrated by the removal of the gate at Hyde Park Corner, and also the removal of the gate at Tyburn; we have seen the effect of that on Paddington parish.

765. Do you know what the date of the Kensington Turnpike Trust was?—1826 was the date of the Consolidation Act; it existed many years before.

766. You do not recollect the earliest date of the turnpike trust in that parish?—No, I do not; there were very numerous Committees. A Parliamentary Committee sat in 1820, and another in 1825; and the result was, for the north side of London, a consolidation of all the little trusts at that time; and under that Consolidation Act a very large amount of debt was paid off. The roads were widened and very much improved; and in the year 1850 I believe that the whole of the debts had been paid off.

767. Mr. *Wrightson.*] You would say that the district was immensely benefited?—Towns have arisen within our memory; at Tyburn Gate, for instance.

768. And there has been the removal of a very large debt?—Yes.

769. Sir *William Jolliffe.*] I believe that you have had a good deal of experience in these matters, from the active part which you have taken for many years in agitating for the removal of turnpike gates?—Yes, for the last eight years.

770. You know that in the year 1850 a Parliamentary Committee sat, and that several of the gates in certain parts of the district of the metropolis were moved back?—Yes, on the south side.

771. I think you stated that was because the expense of maintaining the roads in that part was so great that the trusts could not meet the expenses and pay off the debt?—My recollection is that that was the evidence laid before the Committee.

772. I think you are hardly right, because the gate which stood at Vauxhall Bridge was shown to be the gate which nearly supported the whole of that part of the road, both the Kingston Road, and in the direction to Clapham; but at that time the Committee took the view that those gates stood within parts of the metropolis which had become actually streets, and that, therefore, it was desirable that those streets should not be maintained by tolls, but by the parishes in which they were situated, like other streets: was not that so?—With great respect I would say that I think that the evidence bears out that the objection to which I refer was pressed on the Committee. There was a previous inquiry before Sir George Grey, whose Report I have, which shows that the Trustees considered it was necessary to relinquish a portion of the road.

773. Mr. *Walter.*] Do you recollect the case of the Stamford-street gate?—That was long before this.

774. Sir *William Jolliffe.*] The roads had so far become streets that they had pavements in many cases which were not repaired by the trust, but repaired by the parishes?—I think that must refer to the previous one.

775. I think that you were not then interesting yourself in the south side of the Thames?—No.

776. You described yourself as having agitated the matter with regard to the repeal of the metropolitan tolls north of the Thames; so that your attention was not, perhaps, called to what you now advocate, namely, the removal of the gates on the south side of the Thames. You say that you are instructed to bring the matter before the Committee; who is it that instructs you?—Two of those who instruct me are Members of this House, who are on the Committee; others are millowners at Bermondsey, and there are two or three gentlemen at Lambeth.

777. The millowners at Bermondsey, I suppose, are greatly interested in the subject, inasmuch as a great deal of heavy traffic is going to and from their mills?—That is the case; but I think that there is a larger case of objection to the tolls than that. Part of the Bermondsey district is situated within the country portion, and part of it outside, and the effect of that is that a large portion of the inhabitants use those roads without paying any tolls at all; whereas those on the country side of the gate must pay not only for what they use, but for the repair of the roads used by other parties; and it is a metropolitan parish, just the same as Lambeth is. On this side of Lambeth the proposition is not so well entertained for the removal of Kennington Gate; but go on the country side of the gate, and you will find that they feel that they

are

re not dealt justly with, inasmuch as they have o pay for highway rates, and they are contributing towards the Westminster-road, whereas he inhabitants of Westminster-road are not paying a farthing towards the country side of the Kennington Gate.

778. I quite see the hardship you refer to; ou say that the Surrey and Sussex Trusts have een twice exempted from the Continuance Act? —They have been twice placed in the Schedule o expire in the following year; they are now in he Schedule of the Act of this year to expire on he 1st of November; but if they are not specially xempted, they will go on.

779. Therefore those roads are not now continued by any Continuance Act, but they are ontinued really at the will of the Home Office, who do not put them into the list to be dealt with by a Parliamentary Committee; is not that o?—My application would be that those Continuance Acts should not continue, and that the parties should be compelled to go before a Committee of this House, the same as the Metropolitan Roads Commission went before a Committee, and let the case be fairly heard. If the Committee rule that in one case the roads shall e free, and on the other side they shall be tolled, ve cannot go any further with the case; but he parties who pay the tolls are the parties who an have no hearing, if the annual Act goes on.

780. Both you and I must consider that the Home Office are prevented from taking this step by some allegation of injustice which is placed before them, and points out to them the great hardship that would be done to some person or other?—There is no hardship in the trustees of a road with an income of between 20,000*l.* and 22,000*l.* going before a Parliamentary Committee.

781. But are you not aware that there was very great opposition on the part of this same district in 1850, to their coming before a Committee?—The district then objected to the trust, not that it should remain, but because it was going to remain, and they wanted it done away with. They proposed to Sir George Grey, either that the gates and repairs should remain as now, or that all the gates near the metropolis should be removed to a greater distance, or else that the immediate repair of all turnpike roads should be thrown on the respective parishes, and the tollgates remain for the liquidation of the bonded debt which it was conceived might be paid off in two years.

782. But the difficulty was, that there was a debt on the trust?—There was a debt on the trust which has now expired.

783. The Committee thought that by extending that trust for 11 years, they would be enabled to pay off the debt?—That was so.

784. And it was the case that within that 11 years they did contrive to pay it off?—Yes.

785. In accordance with the view which the Committee took, the debt has been paid off?—The debt has been paid off these five years.

786. And, therefore, now your argument is, that it is but justice that that trust should come again as it was contemplated by the Committee to be dealt with by Parliament after the 11 years have expired?—Just so.

787. Do you recollect that at that time there was a very strong opposition indeed from the parishes to the course which the Committee took? —There was a strong opposition.

788. And the opposition was so strong that the inquiry took a great number of days?—I believe that the inquiry lasted six or seven days.

789. And there was agitation in those parishes? —I speak generally from Sir George Cornewall Lewis's Report.

790. But it was the decision of that Committee that there was great agitation against the step taken?—I have no doubt that the London parishes would strongly object to an increased rate, but then the man who pays toll is not merely paying for the repair of the road, he is paying something beyond that, and as the original liability is on the parish, I do not think that the interested parties should have the weight that they have in these cases when we want to free London from obstruction. There is a clause in last year's Act (which is a precedent) which might be applied to the Surrey and Sussex trust; for the outer parishes did not want to take to the roads. In the Act which abolishes the gates on the north side of the Thames there is a clause giving to the outer district power to come and assume their common law liability.

791. Perhaps you are aware that that clause was put in at my suggestion?—At all events I think that that would meet the case of all parties. But it could never be contended that after the 1st of July of this year, when the north side of the Thames has this great boon conferred on it, you should have only to step over a bridge and then find the toll system in full force. Take the case of the race days, it is a scene that is disgraceful to the Metropolis at the Kennington gate.

792. But inasmuch as the town extends to a much greater distance on the north side of the Thames than on the south, the influence of turnpikes in those directions extend still further also?—I think you would find that the proportionate increase of houses, and population, and rates, on the south side of the Thames nearly comes up to that on the north side of the Thames. But answering the question specifically, let me say that since the year 1850, there has been a great deal of building round by the Walworth gate, and so much so that the trustees have put the gate a little further down so as to catch the new streets; but if you go from the Elephant and Castle to Peckham, and turn off by Southampton-street, you will go through a neighbourhood which is half ruined by the continuance of that Walworth gate.

793. That is your view, is it not?—I have been told so at meetings in the neighbourhood. I have been told that coals and so on are considerably dearer than on the town side of the gate.

794. And you think that on the north side of the Thames, that Kensington gate has caused an inferior class of houses to come beyond that gate, where a superior class would have been erected if there had been no gate?—I think the houses on the country side are not of a character which enables them to be let for the same amount as the houses on the town side of the gate.

795. I suppose that the rates in those parishes are proportionately depreciated by those means? —Yes.

796. And the removal of this gate would tend, you think, very rapidly to increase the ratability of the parish?—Yes. With regard to the south side of the Thames, there is also the increased number of railways which have lately taken place there,

J. E. Bradfield, Esq.

18 April 1864.

J. E. Bradfield, Esq.

18 April 1864.

there, all of which will diminish the traffic considerably, and add to the necessity for the removal of the gates.

797. Am I to understand that you gained your information with regard to the inquiry of 1850 chiefly from that report which was made by the Home Office?—It would be better to refer to that, and then give my opinion.

798. You do not know the extent to which the agitation went in those parishes, and the representations which were made from those parishes with regard to the hardship created by the removal of the gates?—I had better refer to the report of Sir George Cornewall Lewis of May 1850, I think.

799. But it was afterwards during the sitting of the Committee that a vast agitation took place in the parishes, are you aware of that?—There was a great outcry about something in connection with Bond-street, and some one said that the Commissioners wanted to make a turnpike road of it.

800. You did not hear of the Committee being burnt in effigy?—I do not think that a Committee would be burnt in effigy at the present day.

801. Are you aware that after those roads were given up to the parishes they fell into a state which was by no means so beneficial to the traffic as they had been kept in?—I never heard of that. Some questions were put before the Royal Commissioners about something of the kind, but I never heard of that in the district.

802. I am told even now that the roads are not so good as they were when they were originally kept by the turnpike trust, and that many of those streets were at one time very much deteriorated by being removed from the trusts?—I am not aware of that.

803. Are you aware that very great anxiety now prevails with regard to the metropolitan roads north of the Thames, where they are no longer to be maintained by the trust, but given up to the parishes?—I have heard that as a parish argument; we have had that before us since 1856; I believe that it first arose in a Committee of this House in 1856. "If you abolish turnpike trusts and leave the roads to the parishes they will not be able to do it." That has been met by saying that they have now, especially on the north side of the Thames, as competent men as the turnpike Commissioners; in fact I believe that the Commissioners' Officers are occasionally consulted by the parishes.

804. Whatever may be the opinion of the parishes, I suppose that the omnibus proprietors have no fear?—I have nothing to do with the omnibus proprietors as regards tolls.

805. The omnibus proprietors have no longer anything to wish for?—Not so far as I know. I think that the omnibus proprietors on the south side of the Thames are getting pretty well extinct.

806. Mr. *Wrightson.*] This particular point which you now speak of is now in the hands of the Home Office. Has any application been made to them upon the subject?—We made that application in 1862, with a memorial from thousands of ratepayers.

807. Had the Acts expired?—They expired in that year. The Home Office was placed in a dilemma upon this subject, and they refer the matter to the trustees and to the parishes, and of course must bow to what the parishes say.

808. The Home Office is not bound by anything which they hear from the trustees?—No; but the Home Office generally goes with the parishes, and that is one of the matters which I want to point out as being an injustice to the tollpayer—that he has to pay a large tax, whereas at the same time the other parties interested will not accept their common-law liability.

809. Colonel *Barttelot.*] Your remarks have been principally confined to the metropolitan parishes, have they not?—Yes.

810 How far does the Surrey and Sussex trust extend?—Down to Reigate and Whichcross, in the county of Sussex, I believe.

811. Supposing that those tolls were abolished, what is your opinion with regard to the effect which would be produced upon those rural parishes which are situated beyond the metropolitan parishes this side of Epsom, such as Merton, Tooting, Mitcham, and Sutton?—I am told that at Sutton there would be no difficulty with that district, but I wish it to be understood by the Committee, that in representing the views which I am representing, I am not applying to throw the roads upon those parishes. I principally want to clear the metropolitan area on the principle of past legislation.

812. But the purpose for which this Committee has assembled is to take into consideration the abolition of turnpike tolls; have you given your attention to anything beyond the metropolitan district?—Yes.

813. Then what effect do you think it would have upon those parishes immediately beyond the metropolitan district?—The effect would be, that they would have to repair the roads.

814. Do you think that they would be obliged to this Committee for enforcing the repair of the roads at their own expense?—Certainly not; I think that some of the parishes would object to it.

815. Do you think that it would be justice to the parishes where an enormous traffic is brought from another district to have to repair the roads, the traffic being principally for the benefit of the metropolis?—I think that there is only a very small proportion of traffic to which your question would apply. There is the case of the markets for hay, straw, and so on; but generally speaking, all the traffic becomes localised; the railroad carries the traffic that the turnpike was intended to catch; long coaches, vans, and provisions, and all that description of traffic.

816. Do not the market gardeners send an immense quantity of provision from the rural districts through those parishes?—Yes; they also send some by railroad.

817. Does not most of the produce that comes to Covent Garden market come by road?—Not all. I took that Covent Garden traffic for the purpose of the Royal Commission, and I found that there was a great deal more than I anticipated brought by railroad.

818. *Chairman.*] Of that traffic which comes by road, how much comes from beyond the metropolitan district?—I think that it comes from very close upon it; but it is outside the metropolitan district. The market gardeners come from Deptford and Battersea, and so on. Of course there are the Mitcham vans and carts, which supply the wholesale houses in London.

819. Still you think that it would not be an advantage to those parishes beyond the metropolitan district to abolish their tolls?—I think that

hat it would be an advantage to every parish, n the general principle that any restriction upon tercommunication must be disadvantageous to ny district.

820. Mr. *Sclater Booth.*] I believe you said hat you were not satisfied with the operation of he present Continuance Act?—Just so.

821. When a gate is put into the schedule, here it remains. Although *primâ facie* notice is iven that the Act will be abolished after a year nd a half, they go on from year to year?—They o on from year to year.

822. *Chairman.*] By your proposal that power ould be taken away from the Secretary of tate?—That power would be taken away from he Secretary of State; and at present it places im in a dilemma. I have a report of 1857, and nother report of 1859, which carry out what was y construction of the intention of Parliament, amely, that they were intended to be dealt with y Parliament.

823. Mr. *Sclater-Booth.*] In fact, in spite of hat *primâ facie* notice, they are put in year after ear without any particular grounds being as-gned; so that the Continuance Act has really he effect of misleading people?—Yes.

824. Mr. *Western.*] With regard to the Sche-ule, it only remains one year, surely. In the he case of the Essex Trust, it was put in the chedule one year, and the next year we found it eft out altogether.

824*. That was an exceptional case?—I looked nto that. It is a long trust of 176 miles of oad. I think that in the year of its expiry it vas put into the Schedule of the Act to expire n the 1st of November in the following year, nd nothing further was heard of it; but in the rst clause of the Continuance Act the words are, "Every other Act now in force for regulating" and so on) "which will expire at the end of the ext Session shall continue in force till the 1st day f November, and to the end of the then next Session." Under those general terms, that Act vas caught hold of, and the following year those vords were repeated again; and so it keeps rolling n from year to year, by a little process through he Home Office that many gentlemen do not nderstand, and there the Acts remain.

825. Mr. *Fenwick.*] I understood you to say hat you have directed your attention mainly to he question of roads in the metropolitan district?—Yes.

826. Your object is to clear the metropolitan istrict of all turnpike gates, and to throw the epairs of the streets and roads upon the rate-ayers within the district?—Just so.

827. Do you see any reason in principle (inas-much as, under such circumstances, the country atepayers coming into London will use the London streets and the metropolitan roads with-ut paying tolls) why the ratepayers in London nd the metropolitan district should not pay tolls o keep the other roads in repair?—On general principles, none whatever.

828. You say that some of the outlying parishes, f the roads were put on the rates, would not like t?—Yes.

829. But is that a reason which would guide you in any legislative action?—Certainly not; every parish would oppose an increased rate. In London that has been the case with every improvement, whether the Thames Embankment or new sewers; it is invariably the rule for parishes to oppose any increased rate.

830. You would consider what was a just rate, and not the feeling of the particular parishes?—I believe that was the decision of the Committee last year, as well as in former Turnpike Acts.

831. Another witness has stated that the main turnpike roads have ceased to be the great arterial lines of communication, and have become mainly roads for local traffic; is that your opinion?—Mainly, that is the case.

832. So that the reason why the repairs of the roads, which are now turnpike roads, and which were maintained formerly for local traffic, should now revert to the ordinary state of highways repairable by the parishes?—It is a reason now that it should be so; but the strongest point of all is, that it is the liability of the parishes; that the turnpike trust is an exception, whereas originally the parishes were liable, and turnpike trusts were created as substitutes for parish rates.

833. *Chairman.*] Is it not the case that many turnpike roads were highways before they became turnpike roads?—I believe so.

834. With regard to the proprietory road, the Finchley Road: that is, as I understood you, a new road made by speculators under an Act of Parliament, who have power to take certain tolls until the year 1872, in order to recoup themselves for the money that they have laid out?—The Finchley Road was originally formed by Colonel Eyre, and the moneys applied by the landowners, who applied for a new Act in 1850, and obtained a continuance of the term for 21 years after the end of the then next Session of Parliament. It is situated between the roads which will be freed on the 1st of July.

835. Colonel Eyre was the original maker of the road?—The family were.

836. They were very large owners of the land in that neighbourhood, I suppose?—Yes; they obtained an Act of Parliament to make the road, therefore it was a speculation.

837. But being the owners of the land there, which is almost all building land, Colonel Eyre and his family were very much benefited by the road, of course?—No doubt about it.

838. All the roads around there are in the nature of the streets of the metropolis, are they not?—Yes; the road itself is maintained by the parishes, and the tolls are kept up for the liquidation of the debt.

839. *Chairman.*] Are you aware in whose hands the debt now is?—The trust is in the hands of the Metropolis Road Commissioners.

840. Colonel *Pennant.*] Can you say what probably will be the state of the debt in 1870?—The debt at the time of the passing of the Act in 1850 was 33,000 *l.*, of which 7,200 *l.* has since been discharged by money payments of 4,800 *l.*, leaving 25,000 *l.* still due. The actual value of the debt is probably considerably less than it was, for that would come to not quite 10 *s.* in the pound; but that road must be considerably depreciated by the opening of the railway there, which has taken the traffic, and also by the removal of the toll-gates all around, because those gates must be taken as protective to a proprietory road, and especially to that.

841. *Chairman.*] To whom is that money now due?—To the representatives of the Eyre family, principally.

J. E. Bradfield, Esq.

18 April 1864.

842. Mr. *Fenwick.*] They are the landowners?—Yes.

843. *Chairman.*] Did you hear the evidence given on Thursday last before this Committee, that two Dukes had abandoned a debt of 100,000 *l.*?—I heard that such a debt had been abandoned.

844. Do you think it would be very hard if the representatives of Colonel Eyre were to abandon that particular debt upon the Finchley Road Trust?—I do not think it would be hard at all. The first trust was only taken for a certain number of years; they were not certain that it would be renewed, and yet they have since obtained two renewals.

845. Colonel *Pennant.*] But was there not an understanding (a moral understanding, at least) that renewals would take place?—No understanding at all, I should say, because the wording of the terms of Continuance shows that it was likely to be brought under the consideration of the Legislature.

846. Mr. *Legh.*] You said just now that you had taken into consideration the policy of abolishing throughout England tolls that are free from debt?—Yes.

847. You think that that should be done, do you?—Yes.

848. Would you propose to touch those trusts that are now gradually paying off their debts, and that do not come at all upon the parishes for the maintenance of their roads?—I would facilitate an arrangement by making the common-law liability of the parish revive in each particular case, and I would keep up the turnpike solely for the extinguishment of the debt.

848.* Are you acquainted with Lancashire?—No.

849. Do you know that in that county there is a series of large towns six or seven miles apart from each other, with an agricultural district between them, between which towns there is a very heavy traffic; an omnibus traffic for instance: would you think it right to lay the repairs of such turnpike roads upon the parishes that the roads pass through?—Most decidedly; I should think it right in the case of all large towns.

850. But why?—The large towns are benefited more than the small ones by having the gates taken down.

851. But I refer to parishes situated between the two towns: would you throw the repairing of the roads upon those parishes that receive no benefit from the through-traffic using the roads?—I presume that if it had not been for the turnpike trust those parishes would, under the old law, have had to make the roads, and maintain them; and, therefore, I can see no injustice in making every parish attend to its roads, and support its own common-law liability. Exceptional cases of great hardship are cases for the districts themselves to meet.

852. Are you not aware that there are a great many such cases in London?—We have in London almost the same thing with regard to the poor-rates, which are much heavier in some parishes than in others; but still the poorer parishes have to bear the burden.

853. But is that the same thing; here are two large towns at a certain distance, the road between them passing through an agricultural parish, which receives no benefit from the through-traffic, and yet you say that the parish should keep up the road?—I can see no difference between the case of the poor-rates and the case of repairing the roads. It is a case of misfortune in both instances, and it is very likely in the one case that the poverty of the district has been brought about by the turnpike system.

854. But there is a population around London which there is not in the cases which I have referred to in Lancashire?—Might I ask the distance from town to town?

855. Taking the road between Manchester and Stockport, the distance is between six and ten miles. Bolton is another case. There are gentlemen there who have villas six or eight miles out of town, with omnibuses passing backwards and forwards every hour in the day?—I do not think Parliament could legislate for exceptional cases; districts in exceptional situations must take care of themselves.

856. You have, in fact, no remedy to propose for such cases?—None.

857. You would throw the roads on the parish just the same?—Certainly.

858. Lord *Henley.*] Do not you consider that the value of the property would very much increase by the neighbourhood of those large towns?—Certainly.

859. Would not the agricultural parishes have very much better markets for their produce in consequence of Manchester and Stockport being close to them?—Of course.

860. Do you think, therefore, that they should consider themselves hardly treated if they paid some extra rate in consequence of being so closely in the vicinity of large towns?—I cannot see it; the same thing exists in every parish all over England.

861. Mr. *Western.*] Do you imagine that, with respect to those 160 trusts which are now out of debt, the Trustees have taken no steps to get them left out of the Continuance Acts, because the different parishes would consider it a hardship to have the rate put upon them?—I believe that is the reason, but there will be more than 160 parishes. I believe the Home Office takes the opinion of the Trustees, and also the opinion of the parishes, and acts on the information so received.

862. Perhaps you rather think they ought to take the opinion of the Trustees, but that they do not?—Just so.

863. As to those trusts that are in debt, the counties are liable for it; is not that so?—The parishes, I believe, are liable.

864. But is not the county liable for the trusts that are in debt in the county?—I believe not.

865. Mr. *Dodson.*] You state that you do not see that there would be any hardship in the case of a road passing through agricultural parishes lying intermediately between large towns, if the burden of maintaining that road were cast upon the parishes, because it was their original liability; but are you not aware that tolls were originally introduced precisely for the purpose of obviating the hardship which accrued in such cases as that to which reference has just been made?—I have not looked at it in that light at all.

866. Are you aware that it was frequently the case, before tolls were established, found necessary to grant a rate-in-aid from the adjoining parish for support of such roads?—In some poor parishes I daresay it was the case.

867. Should you be prepared to provide for such

ich cases as those in some such manner now, pposing tolls were abolished?—I think that is matter which might be left for the consideration those parishes making out a case; but at esent I cannot see that any case has been made it.

868. Your view is that the maintenance of the ad should be cast upon the parishes through hich the road passes, but that there might be xceptional cases which might require to be dealt ith with a view to the mitigation of the parti- lar hardship?—Just so.

869. *Chairman.*] Have you not heard that rnpike trusts were originally created for the urpose of making new roads?—In most instances.

870. With regard to the roads situated between hose large towns, have you heard what the price f land was in those neighbourhoods before the otton Famine?—No.

871. Have you, at all events, heard that it was ery large?—I should naturally imagine that it ould be so, from what my Lord was just now uggesting as to the circumstance of the vicinity o large towns.

872. With respect to trusts where there is yet debt you have not said much, because only three arishes are in debt in the metropolis; but what ould you do in cases where the debt is kept up rtificially, for the purpose of keeping up the ollgate; suppose, for instance, a case where there as only 500 *l.* or 600 *l.* owing, and that the debt as kept up artificially for that purpose?—If the Act has expired there is an easy remedy, by ex- luding the trust from the Continuance Act. I ook upon the Continuance Act as the greatest grievance in the case.

873. You would dispose of them by taking away the power of the Home Office to continue he trusts?—Unless there were cases which really seemed as if they ought to be investigated, and I would have them brought up for investigation at an earlier period of the Session than is now usual, namely, at the latter end of June. The House itself is the worst place in the world in which to have a discussion in July upon such subjects as these, and the Act is put in as a Government measure.

874. Colonel *Pennant.*] I think you said it was your opinion that there would be a general parish outcry against taking the roads on their own shoulders?—Yes, I think so, generally.

875. And when you speak of the parishes, I suppose you mean the ratepayers?—I do not mean the ratepayers, I mean the vestries.

876. But the vestry is elected by the rate- payer, is it not?—Yes.

877. Then practically, would not the opinion of the vestries be the opinion of the ratepayers? —In my proceedings I have not looked upon it that the vestries have represented the rate- payers, for in many cases I have had the majority of the ratepayers with me.

878. But surely in the long run the opinion of the vestry must be the opinion of the rate- payers, who elect the vestry?—It is always taken as such.

879. Do you not think then, that the opinion of the vestry, as representing the ratepayers, would be so generally, and strongly against the casting of this burden upon the parishes, that that must form a very considerable element to be taken into account, in estimating the practica- bility of carrying out a measure for the abolition of tolls?—I submit that the parishes are the parties who are liable to the debt, and are in- terested parties; but the toll-payer who pays the tolls, and takes the ticket, is also an interested party, and more so, because he is paying the parish liability, and something beyond, for the cost of keeping up the toll at all, but under the present system, the parish is the only party who is heard, the public is not heard at all, although it is the only injured party.

880. But the debt was contributed by persons who lent their money upon the security of having the tolls raised at gates on the road, by Act of Parliament, was not that so?—Yes.

881. And you think the parishes generally would object to take that burden upon themselves? —Yes; nor have I applied for it in any one case in the metropolis.

882. Then, whatever may be the justice of the case, that would form a very considerable element with regard to the practicability of enforcing such a law?—Undoubtedly that is one side of the question, but there is another side.

883. I am not speaking of the justice of the case at all, but of the practicability of legislating contrary to the opinion of the ratepayers of the kingdom?—I would apply, in such a case, the experience of the Committee of last year, in passing the Metropolis Roads Bill. There were 14 or 15 parishes who opposed or appeared, but the Bill passed notwithstanding.

884. You were asked with respect to the origin of turnpike trusts. Is it not the case that turn- pike trusts were added to the old highway system in a great measure in order to have a better class of road as well as to have a more direct com- munication?—I believe that was the intention.

885. You said that, if there was inequality in the incidents of a rate upon one parish, as com- pared with another, it must be taken as a misfor- tune, and the parish upon which the rate pressed heavily must bear it?—Yes.

886. Then would not the same principle apply to anybody who happened to be nearer than his neighbour to a turnpike gate?—No; I do not see that the two cases are analogous, because one is a substitute created, whereas in the parishes it ap- plies to the whole of the rates.

887. But, speaking of the highway rate only, it is so, is it not?—I am sorry to differ from the Honourable Member; but I do not see the analogy.

888. How would you pass a legislative measure for the whole of England making an exception in all cases where it would be a hardship for the parishes to pay for the repair of the road for the traffic immediately between large towns?—I have not considered that question, and I should be very sorry to put my opinion against that of the Committee upon such a subject.

889. Mr. *Alcock.*] If 188 miles are altogether under the Continuance Act in the county of Essex, that would be almost the whole of the county, would it not?—Yes.

890. That has been under the Continuance Act from the year 1837, I think?—I thought it was the year 1848.

891. Do you know what is the amount of the tolls annually?—I do not know.

892. About 3,000 *l.* a year, is it not?—I dare say it may be.

893. Mr. *Western.*] Do you think it very gene- rally happens that tolls are evaded by persons going

J. E. Bradfield, Esq.

18 April 1864.

going a long way round?—Wherever facilities exist for the evasion, it follows as a matter of course.

894. *Chairman.*] And so the burden is again thrown upon the ratepayers?—In populous places like London parish highways are more costly from that cause, because those side streets are not intended to bear a very heavy traffic.

895. Mr. *Western.*] Does it not often answer in the taking of cattle to market to go a great many miles round in order to evade a toll?—Certainly.

896. Sir *William Jolliffe.*] You complain very much I think of the alteration of the terms of the Continuance Act?—I brought that forward as an illustration to show that they had gone beyond the original intention of the Legislature, which originally intended the Act only to carry on till the next year; the words of the Report show that that was the intention.

897. The Acts excepted from the Continuance Act were selected by the Home Office formerly, and it was then necessary that they should be brought under the consideration of Parliament in the following Session?—Yes.

898. But now you say that in consequence of this addition to the lifetime of the roads, it rests with the Home Office whether the Acts shall, or shall not be brought up for reconsideration on the part of Parliament?—Yes; the Surrey and Sussex trustees have neither come last year nor this year.

899. But you admit that there will probably be a very great opposition to the alteration you propose?—I am quite prepared for that, but the parish is only one party to the question; the toll-payer has certainly an equal right to be heard.

900. You probably agree with me that the Home Office are desirous to keep the matter open for reconsideration, because in parishes like Camberwell and Newington, which are very heavily taxed, there would be great hardship if anything were done to increase the rates?—I believe that in the case of the Surrey and Sussex roads, the parish of Camberwell has agreed by anticipation to take its roads; the parish of Lambeth is materially interested in not taking them, because it collects from Brixton, and all those places on the country side, the highway rates which it applies to the maintenance of the Westminster Bridge-road, which is, in fact, taxing the suburban ratepayer without making him any return, while, at the same time, he is obliged to pay for the repair of that road. But I believe parties are pretty well equally divided in the vestry of Lambeth.

901. In dealing with the roads south of the Thames, do you propose to interfere only with Acts which have expired, or which will expire next year?—Just so.

902. Whereas, with respect to roads north of the Thames, the Act of Parliament under the Metropolitan Commission was a perpetual Act, and there was no reason why it should expire except from the will of the Commissioners themselves?—Yes.

903. And whether it was originally a Government Act, or whether it was any particular body who originated it for the consolidation of these trusts, you are not, perhaps, aware I mean with respect to the formation of districts?—I am not aware whether it was a Government Act or not. I have never looked upon it as such. Lord Lonsdale, then Lord Lowther, brought it in. The report on which that bill was founded is my case now, namely, that the continuance of toll-bars had become injurious to property, and a nuisance to the neighbourhood.

904. Do you know what was the amount of the debt upon the Metropolitan Roads at that time?—Something considerable, of course.

905. 150,000 *l.* should you say?—Very likely.

906. And that has been paid off, has it?—Yes.

907. Whether that was a Government Bill or not, the Commissioners themselves brought in a Bill last year to extinguish their powers, did they not?—With regard to the Metropolitan area.

908. Have you ever heard what expense the Metropolitan Commissioners had incurred in bringing in the Bill of 1863, which will come into operation on the 1st of July next?—No; but their expenses must have been considerably increased by parish opposition.

909. Colonel *Pennant.*] You have been asked questions with respect to trusts on which the debt might artificially be maintained for keeping up the turnpikes?—Yes.

910. Are you aware that no trust which has gone before Parliamentary Committees under the revised system could possibly do such a thing?—I believe that is impossible; I believe there would be the means of detecting that in future.

911. You are aware that the stringency of the rules laid down by the Committees under that new system is such that it would be impossible artificially to keep up the debt?—I believe so.

John Wood, Esq., Examined.

J. Wood, Esq.

912. *Chairman.*] What are you?—A timber merchant.

913. Where do you reside?—At Banstead.

914. Are you a large ratepayer?—Not a very large one.

915. Do you pay a good deal in tolls in the course of the year?—No considerable amount.

916. Mr. *Alcock.*] You keep eight or nine horses, do you not?—Yes.

917. Your house has been established 40 or 50 years, I believe?—Sixty or 70 years.

918. You are only rated at 23 *l.* a-year, I believe?—That sum has been increased lately.

919. And I believe you are prepared to say that it would be worth your while to pay 30 *l.*, 40 *l.*, or 50 *l*, a-year to be rid of tolls?—I should be very happy.

920. According to that plan of mine which was presented to the trustees of Reigate some years ago, the amount you would have to pay as your ratable share in the parish would be only 5 *s.* or 6 *s.* a-year, or 2¾ *d.* in the pound on about 30 *l.* of rating, instead of which you would now be glad to pay 30 *l.*, 40 *l.*, or 50 *l.*, in lieu of tolls?—Yes; I do not know how long that would apply, in consequence of railways being made in our neighbourhood.

921. Probably you do not know of any one else in the same position as yourself having so many horses, and paying so small a rental?—No; but

ut it is not only Banstead, but other out-districts, especially in Sussex.

922. *Chairman.*] It is the inconvenience as well as the expense that you feel?—Yes; in Sussex the expense is great.

923. And a good deal of delay is caused, I suppose?—Yes.

924. Mr. *Alcock.*] You bring your timber from Sussex through London?—Yes.

925. Sir *William Jolliffe.*] They no longer weigh your timber at the gates?—No.

926. You are still restricted with regard to the width of the wheels?—Yes.

927. If turnpike gates were done away with, that restriction would be done away with, of course?—Yes.

928. You, and your father before you, have carried on this trade for 50 years, I believe?—Yes.

929. On a very large scale?—Yes.

930. It is possible that your neighbours, who would have to maintain the roads, if there were no tolls, would think you were very great gainers in your trade by their being made liable to repair the roads?—Most decidedly.

931. Colonel *Pennant.*] You have just stated that you actually pay in tolls considerably more than you would have to pay if you were rated according to the value of your property?—Yes.

932. But yet you would be willing to pay a considerable sum of money more than you would be compelled by law to pay, if you could be rid of the tolls?—Yes.

933. Do you think that the rest of the timber merchants in England would be as public spirited as that?—I cannot tell; but it would be our interest to do it.

934. There might be other cases where people would pay considerably less than their share?—The same rule must apply where the timber merchant is also a large farmer, and almost every timber merchant but myself is also a large farmer

Jovis, 21° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Alcock.
Col. Barttelot.
Mr. Sclater-Booth.
Mr. Clive.
Mr. Dodson.
Mr. Fenwick.
Sir James Fergusson.
Col. French.
Col. Gilpin.
Sir William Jolliffe.
Mr. William Legh.
Col. Hussey Packe.
Col. Pennant.
Col. Stuart (Bedford).
Mr. Walter.
Mr. Western.
Mr. Wrightson.

GEORGE CLIVE, Esq., in the Chair.

The Reverend Archer Clive called in; and Examined.

Rev. *A. Clive.* 21 April 1864.

935. *Chairman.*] You have no cure of souls, have you?—No.

936. You reside on your own property in Herefordshire?—I do.

937. This Committee has before it the report of the House of Commons in 1836, in which the turnpike system is called "vexatious and expensive, causing obstructions and impediments to the free intercourse of commodities." Is that your opinion of the system as it now exists?—Yes; that is my opinion of the effect of tolls at present; they are both inconvenient and expensive.

938. Now, will you be so good as to give your attention to the matter in respect to trusts in debt and trusts out of debt. First of all, with regard to those trusts that are out of debt, what would you do with regard to the repair and maintenance of ways?—I have only considered the affair of the one trust which I live in.

939. That trust is in debt, is it not?—It is in debt; it owes about one year's income.

940. Colonel *Hussey Packe.*] What is the amount of the debt?—£. 6,000 or £. 7,000, and the annual income is the same.

941. Mr. *Walter.*] Is that trust, in your opinion, a fair sample of the trusts generally in England?—I cannot speak with regard to the trusts generally in England.

942. *Chairman.*] What is your idea with regard to what ought to be done in such a case as the trust which you have alluded to?—I published a letter to my neighbours, suggesting that amount of debt should be raised by an impost on landed property, to be paid by the owners, and that the future repairs of the roads should be provided for by a rate on the ratepayers, on the principle of the common-fund case; not parochially, but that it should be spread over the district.

943. Then that suggestion, of course, would be applicable to all the trusts that are out of debt as well as those that are in debt?—I suppose so.

944. You think that the repairs and maintenance of the roads ought to be paid for by a rate on the occupiers?—Yes, I think that they should be paid by a rate on the occupiers spread over the district.

945. Then, how would you provide for the debt; would it be by a rate on the owners. Would you borrow the money, and pay it off in a certain number of years?—Yes, I would pay it off, say in 25 years.

946. Colonel *Gilpin.*] Is it not the case that in many trusts the debts have been contracted by the extravagance of the trustees?—I dare say.

947. Would not it be very hard to place that debt on persons who were not possessors of property perhaps when the debt was contracted?—I meant my observation to apply to equitable debts; I know of one trust in my neighbourhood where the debt is not equitable.

948. *Chairman.*] You think that the property is benefited by the roads?—No doubt.

949. Colonel *Gilpin.*] That may or may not be; it sometimes happens, does it not, that a turnpike road may be in a remote part of the parish, and not very much used by the parish?—Yes.

950. Would it not be hard upon the parish to have to keep up that road for the public when it was very little used by the parish?—I think it would be if the assessment were upon separate parishes, but not if the district was large enough to comprise the whole of the neighbourhood.

951. The hardship I have mentioned would be a peculiar case, would it not?—Yes; it might happen in individual cases.

952. Would you propose to assess the district?—Yes, very much on the principle of the common fund.

953. You would amalgamate the turnpike-roads?—Yes, making it something like a Poor Law Union.

954. Sir *James Fergusson.*] What do you consider to be the test of an equitable debt?—I can hardly say offhand, but it should be a contract by persons who had the power to do so, and for money fairly advanced.

955. Whether those persons be themselves interested from residence and possession of property in the establishment of good roads, or whether they be parties who have advanced the money on the security of the revenues, you would not draw any distinction between them?—I think not, if the district generally has been benefited by the road.

956. But

956. But take a case where the large proprietors, for example, have themselves advanced the money for the establishment of good roads in the district: would you not draw a great distinction between their claim on the revenues of the trusts, and that of those persons who had advanced the money more as an investment?—I do not see how such a distinction could be justly made. Both parties advanced the money for the sake of their own convenience and benefit, I presume.

957. But in different ways. Supposing that proprietors have contributed for the establishment of good roads and the benefit of the district, will they not be repaid by the improvement of their property, apart from any return that their investment may have yielded?—No doubt they have made a very good speculation.

958. And hence you could not consider the right of such persons to the repayment of their investments equal to that of a person who had advanced the money simply as an investment without being similarly benefited, would you?—In my own mind, I should. One of the men has made a better speculation than the other, but they have both *bonâ fide* advanced money with the intention of being repaid.

959. Do you not think that the prospective profit anticipated by the two classes of individuals would be very different?—No doubt.

960. One expecting to gain from the improvement of the property, and the other solely from the return for his money?—Yes.

961. Do you consider, taking merely the trust of which you particularly spoke, that the real value of the debt is to be ascertained very much by the amount of revenue which the road yields?—So long as the road yields revenue enough to pay the debt and interest, that is all I should ask for; I think any value beyond that is not to be considered.

962. Supposing that the revenue of the road only sufficed to pay the interest of the debt, and a rate-in-aid was required for the parish, you would not consider that debt as valuable as if the revenue sufficed both for the interest and maintenance?—Certainly not, commercially speaking.

963. You would consider the revenue as a fair test of the value of the debt, or, at all events, an element in it?—To a certain extent, I should; but if the revenue was sufficient to pay the debt and interest in a certain number of years, I should consider it quite as valuable as if it was sufficient to repair the road besides: provided the creditor advanced the money on the security of the debt, his position would be equally good in both cases.

964. Colonel *French.*] When money is borrowed on mortgage, you generally consider the amount of the property on which the money is secured, and you consider the length of time for which the beneficial interest is vested on which you lend the money?—Yes.

965. Those turnpike trusts have borrowed money in two ways, either from proprietors who expected their land to be improved, or from persons who lent their money on what they considered good security, but who have made a mistake?—Yes.

966. With regard to the value of that beneficial interest, which in every case is terminable, what claim have the lenders to come on the parishes, or baronies, or counties, or districts (they having taken a bad security), for the purpose of making other persons pay them what remains unpaid at the termination of the trust?—None, taking it as a legal question; but taking it as an equitable question, they have this claim, that had they been aware that the intention was not to apply for the renewal of the Act, they would have been in sufficient time to save themselves, and would have taken possession of the tolls, and repaid themselves, to the inconvenience of the public.

967. Has not that been done frequently; have not the tolls been taken possession of in that way, to the inconvenience of the public?—I only know of one instance; but in that instance the tolls were not sufficient to pay the interest of the debt.

968. What would you do in that particular case?—I cannot say.

969. *Chairman.*] Would not that depend on whether the debt or the repairs had the priority?—I do not know how that would be.

970. Colonel *Tennant.*] In the old Acts of Parliament, and up to a recent period, all mortgagees had the right to seize the gates, and take possession of them at any time, either for interest or principal; but by all the Acts of Parliament for the last 15 years, no mortgagee is entitled to seize the gates for anything but the nonpayment of his interest; are you aware of that?—I was not aware of that.

971. Colonel *French.*] Supposing that we admit the principle of calling upon the districts to refund the balance of the money unpaid, how would you estimate the value of that; by the amount that remains unpaid of the original sum, or would you take it at the marketable value of the securities?—That must depend on the terms of the loan. The one trust that I particularly referred to owes a year's income; that money, I believe, was fairly borrowed and fairly laid out.

972. *Chairman.*] Is that debt worth its original amount in the market?—I cannot say; five years ago it would have been so, at all events.

973. Colonel *French.*] But supposing that no interest has been paid for a considerable time, and the marketable value of the security is 20*l.*, which would you pay, 20*l.* or 100*l.*?—I think that every case must depend on the exact terms of the borrowing. I can give no general answer applying to the whole kingdom and its several trusts.

974. But you would in every instance give compensation to the persons who lent their money *bonâ fide*?—I would.

975. Mr. *Walter.*] Can you state to the Committee the number of miles in the trust to which your attention was particularly called?—I think it is 175 miles.

976. And how many gates are there?—Thirty-five or thirty-six gates, I think.

977. Do you know the amount of the expense which would be saved by the abolition of all those gates; I mean in payments to the toll-collectors?—Yes; I reckon it at 30*l.* a gate.

978. That would be about 1,000*l.*?—Yes.

979. And you think that 1,000*l.* would be actually saved in the expense of collection?—I believe so.

980. That does not represent in any way the necessary expenses for keeping up the road?—No. I estimated for 34 gates, 34 cottages, and 34 families to be maintained at an average of 30*l.* a piece. That is not mentioning the peculations which are likely to take place among the toll-receivers.

981. Is there any class of persons in your trust exempted

Rev. *A. Clive.*

21 April 1864.

exempted from payment of tolls—farmers fetching manure, and so on?—The General Turnpike Act exempts them and clergymen going on their duties, and so forth.

982. Colonel *Gilpin.*] There is no special exemption?—I think not.

983. Mr. *Walter.*] Do you see any reason in equity why any person should be exempted from paying his share of keeping up the roads?—I think not. A man going to his duties is benefited by the road as much as if he rides for pleasure.

984. Supposing that you were called upon to devise some other plan for keeping up the roads, would you throw it on the counties in the aggregate or on the highway district?—I think I would throw it on the highway district.

985. Would you make them conterminous in any way with trusts, so that the highway district should represent the parishes through which the turnpike roads in the trust passed?—There is, I think, no known district which you could at present so set apart; but there must be an equitable adjustment of the persons who are to pay the debt. The area would not be conterminous with any known district; but the repairs might be provided for by the highway district and the Board of Waywardens. Where the districts are large enough, the repairs are generally so provided for, I think.

986. Colonel *Pennant.*] Are you aware whether there was any general impression in the minds of the mortgagees, arising from any Act of Parliament, that upon the expiration of local Turnpike Acts the security would be continued by subsequent Acts?—I think that was the universal impression.

987. And I suppose that people lent their money under that idea?—I think so. I myself lent 200*l.* to this trust, a few years ago, with the full idea that I should be repaid, and I have been repaid.

988. Supposing that a debt existed on the termination of the Act, the mortgagees would have supposed that it would be considered on the renewal of the Act?—Yes; because those persons have none of them taken measures to secure their debt before the termination of the current Acts.

989. Mr. *Wrightson.*] Does not the fact of some trusts having terms of 21 years, and other trusts terms of 31 years given them, militate very much against that supposition?—I do not think that it has done so in the minds of lenders.

990. There is no doubt that Parliament gave some of the trusts 10 years longer than others; does not that go a long way to show that it was the intention of Parliament that such trusts should come to an end at those times?—Possibly; but that is not the impression among those who lent the money.

991. Do you not think, there having been so many renewals in those terms, that the impression may have been created in that way?—It may be so.

992. Colonel *Stuart.*] Has your Act of Parliament been renewed?—No, not recently; I think that it was renewed in the year 1835, and that it expires a few years hence.

993. Sir *William Jolliffe.*] What is now the price of the bonds on the trust which you have alluded to?—I do not know; none of them have been sold, I think.

994. Your Bill will expire in 1866, will it not?—I think so.

995. Do you act as trustee to that trust?—Occasionally; but very seldom.

996. You are an *ex-officio* trustee?—Yes; I am a Commissioner.

997. Do you know whether it is the intention of the Commissioners, at the expiration of their Act, to apply for its removal?—It was their intention; and, to prevent that, I endeavoured to persuade them to get rid of the tolls.

998. Do you consider this debt of 6,000*l.* a really valid good security?—I consider it a justly incurred debt. I did not examine the legal security.

999. There were two great motives for establishing turnpike roads; that is to say, one to secure good communication to the public in populous districts; and another, to benefit the property through which the road passes: in many instances the proprietors think that it would benefit their land to have a good road direct through it, and they subscribe on that principle, more than for the purpose of maintaining the through traffic; is not that so?—Yes, possibly so.

1000. And you think, notwithstanding those motives, that it would be right in such an instance to throw the whole of the debt on the property of the district?—I think so.

1001. Mr. *Sclater-Booth.*] Would it not be more economical and more simple to place the debt on the county at large?—That would be the same principle, only that it would be extending the area; the only objection to that would be, that the supervision would not be so close.

1002. I am only speaking of the debt; would not it be more economical to put the debt upon the county at large?—Perhaps it might.

1003. Do you not think that the counties could borrow the money more cheaply, and that the burden would be less felt, being spread over a larger area?—Probably. Other trusts in the county have their debts also. The debts of our county were about 42,000*l.*, of which I suppose 36,000*l.* must in fairness be paid; it would not make any very great difference in the burden whether that was amalgamated and spread over the whole county or not.

1004. Do you not think that you would be able to get the money more economically, and to deal with it more economically, if that system were carried out?—No, I should think not. I do not think that there would be any difficulty in raising a fund if there were a rate—I mean a rate to pay the interest.

1005. Colonel *Barttelot.*] I understood you to say that your trust proposes to ask for a renewal of the Act?—It was talked of at our meeting.

1006. Does not that show that they consider the turnpikes in Herefordshire to be a good thing rather than otherwise?—It had not been put into their heads until I wrote this letter. I think, as far as I can tell from the magistrates, they are almost universally in favour of getting rid of the tolls altogether. There was a petition presented at our last Quarter Sessions by one of the magistrates, and the Chairman ruled that it was not fair that it should come from the court; so it was circulated for signature, and out of 30 or 40 magistrates only five or six refused to sign it.

1007. Sir *James Fergusson.*] Is that the feeling of the magistrates or of the ratepayers generally in Herefordshire?—It is the feeling of the magistrates and the townspeople certainly. Among the ratepayers there is a good deal of apprehension

that

at they would be burdened more than they now e; but I think that the more intelligent of em (the principal farmers, and so on), are in vour of the change. The more ignorant of rmers are afraid; but there is a very intelligent an, the principal farmer in my neighbourhood, ho rents a farm of about 600 *l.*, a-year, and I entioned this subject two years ago to him, and id to him at a public meeting, "I wish to get d of the turnpike, and I wish you would only ut down how much you pay in tolls in a month." had forgotten it; but the man came to me afterards and said, "I have done what you asked, nd I pay about 15 *s.* a month in tolls." That an's tenancy is 600 *l.* a-year; a fourpenny rate pon that would be 10 *l.* a-year, and he pays ctually 9 *l.* I said to him, "Would you not be lad to pay an additional pound to get rid of the urnpikes?" He said, "To be sure."

1008. He was paying highway rates, too?—es.

1009. Do you know how much that came to in l?—I do not know.

1010. Would a fourpenny rate include the ates for all sorts of roads?—No; only for the urnpike roads.

1011. You have not calculated what it would ost to keep up the roads of all classes?—No; ey are so very different.

1012. I mean in your trust?—No; in that me trust the one parish pays a rate of 3 *d.* in e pound; and another parish pays 10 *d.* or 1 *s.* the pound.

1013. Do you propose that the parishes should e rated separately?—No, I would make the rate ver the district on the principle of the common nd adopted in the Poor Law.

1014. You have not formed any calculation with gard to the expense of the maintenance of the oads, if it were levied by a distinct rate?—I have ot made a calculation with regard to all the roads; have done so with reference to the turnpike oads, and it would be 3 *d.* or 4 *d.* in the pound.

1015. Colonel *Barttelot.*] Have you adopted e Highway Act in your district?—Yes.

1016. How long has that system been in operaon?—For one year.

1017. *Chairman.*] Are you Chairman of the ighway Board?—I am.

1018. Colonel *Barttelot.*] Have you mooted to e Highway Board the question of whether they re in favour, or otherwise, of the abolition of the urnpike trusts?—I have not done so publicly, ut I have mentioned it to individuals. In considerable part of our highway district they ave to pay a rate on both highways and turnpike olls, for the trust is bankrupt; they have had to ay both for the last 20 years.

1019. One or two of your principal turnpikes re the main roads into Wales, are they not?—es, into South Wales.

1020. Do you think that it would be fair that he main-trunk highway should be thrown upon ertain of the small parishes through which it asses?—I think, practically, that now the tolls are ntirely paid by the district through which it asses, there being a railroad very nearly from ereford to Hay, which will next year be opened o Hay, so that there will be no such thing as hrough traffic.

1021. I believe that the railway was only pened last year?—It was only opened last year n that direction; but in other directions the ailway has been opened some years, and consequently the coaches, of which there were six or eight leaving Hereford, and which paid 60 *l.* or 80 *l.* a year to the trust, have been done away with.

1022. Mr. *Legh.*] I did not hear you say whether you are paying off any part of the debt annually?—No.

1023. Is there any chance that any of it will be paid off?—No; I think that the expense of the repairs of the road will about balance the receipt from the tolls.

1024. Have you any parochial assistance with regard to the repair of the roads?—No.

1025. Mr. *Western.*] Do you think it a very unreasonable proposition, supposing that the Committee should think it right to recommend it in their Report, that the county should be asked to levy a rate for the purpose of keeping in proper repair the roads of the county and paying off the debt?—No; I do not think that is unreasonable.

1026. Would not the ratepayers be very much averse to that?—I think not.

1027. On the same principle that the bridges in counties are looked after by the county surveyors and the repairs paid for out of a rate?—Yes; the only objection would be that the turnpike-road surveyor would have to go a considerable distance, and that the roads to the right and left of his road would be repaired by another surveyor.

1028. But is it not possible for the Quarter Sessions to make some arrangement for supplying further assistance to the surveyor?—Yes; I think that that would be perfectly fair; but I should prefer a smaller area.

1029. Mr. *Dodson.*] Would there not be this advantage in placing the roads under the Highway Boards, that that would be more popular with the ratepayers, inasmuch as they are represented on the Highway Boards, and are not represented among the county magistrates?—Yes; I think it would be so.

1030. Colonel *Hussey Packe.*] You have already stated that you have 175 miles of road in your trust; what large towns besides Hereford have you in your district?—We have none.

1031. You would throw upon the district the repair of the highways, and likewise the paying off of the debt?—Yes.

1032. Supposing that you lived in a district where there was not a turnpike within 10 miles, would you throw that burden upon the parishes?—There is no such happy district, I fear.

1033. As I live in such a district, let me ask you what you would do in such a case?—I presume that the inhabitants of the locality use the turnpike road in going to their market town.

1034. No; we go to the market town without using the turnpike road?—I had really not thought of the possibility of such a utopian district in England.

1035. Colonel *Gilpin.*] But it is quite clear, is it not, that a great portion of the highway district must avail themselves of the turnpike road; and it would surely be unfair to throw the onus of the repairing of a road upon parishes which never use it, by any accident?—They cannot help using it for the goods they receive.

1036. Do you find that the highway district system is already popular in your county with the ratepayers?—No, I think not; but that is on account of its not being understood, I think, because it is the beginning of a new system.

Rev. *A. Clive.*

21 April 1864.

1037. Colonel *Pennant.*] I suppose that a great portion of the existing debt on the trust is a debt which is owing to the landowners and persons interested in the district, who advanced the money originally?—I think not, in this particular trust; I think that it is persons of small capital who have put their savings into the trust.

1038. But taking it throughout England, is it not the case that a very large portion of that debt is owing to persons who have originally been interested in the district—landowners, and so on?—I daresay it may have been so.

1039. Therefore, if you levied rates from such a district for the payment of the debt according to the rateable value, that would be levying money out of one pocket of the landowner merely to put it into his other pocket?—Yes; he is a creditor as well as a debtor.

1040. *Chairman.*] Only that he has not got to put his hand into his pocket when he passes the gate?—Just so.

1041. Sir *William Jolliffe.*] There are trusts in your county which, not being so prosperous as the trust you have mentioned, cannot meet their liabilities?—Yes.

1042. The roads are maintained by the parishes, and the tolls are also paid by the persons in the district?—Yes; that has been the case for 20 years.

1043. But if you place the debt upon the district or upon the county, in either case you must deal with one set of trusts in the same way as you would with another; is not that so?—Yes.

1044. In carrying out your idea of throwing those debts permanently upon the land, and making the property liable to the payment of them, you must deal with the whole of the trusts in the same manner, must you not?—Yes; the trust which I allude to especially is a bankrupt trust. The inhabitants of the district would be simply relieved of the tolls; I think that they are very hardly used in having to pay both tolls and rates.

1045. You would subject the debts of all those trusts to a valuation, I suppose?—Yes, I would subject them to an equitable adjustment; I think that the money should be paid if it was advanced *bonâ fide.*

1046. But the interest has been kept paid?—Yes.

1047. You might invest money in railway shares, which would only pay you 1 or 2 per cent. interest?—Yes; the mortgagees are more like debenture-holders than shareholders.

1048. The railway companies have been able, to the detriment of their shareholders, to pay interest on the debentures; but in this case, when the power to pay ceases, then the loss falls on the persons who possess the debentures?—Yes.

1049. There is no party behind who has to bear the loss?—No; it is like the case of a railway which cannot pay the interest on its debentures.

1050. Colonel *French.*] Are you aware that the debts and interest due on turnpike trusts amount to upwards of 5,000,000 *l.* sterling?—I have seen that stated.

1051. On what principle would you throw that burden on the counties or the parishes through which the roads run, they not being parties to the giving of the security?—I conceive that those who represented them were so; the trust was established by Act of Parliament for making a turnpike road, and the trustees had full pow to borrow the money.

1052. They having borrowed the money on ce tain security, and the security having terminate on what principle do you propose to throw any other body the payment of that money?—propose to throw it on the body within the ar that pays the tolls; and I think I said that I co sidered the claim that those who advanced t money was this: that they might have stepped and paid themselves.

1053. Then the question occurs, why did the not do so, and get their money paid?—Simp because they felt sure that it was coming now it had come before.

1054. But when they are not warranted feeling sure of that, either by the nature of t security, or by the terms of the Act of Parli ment, is that any excuse?—In law it may not any excuse.

1055. Do you not think that you would ha as much right to call upon Parliament to exte the debt over the entire kingdom as to call up the parishes to pay it?—I conceive that the wh country is, in fact, benefited by the roads. T money has been laid out for the improvement the whole country, and the whole country wou not be injured if they were to pay the whole the money.

1056. Colonel *Pennant.*] Will you be go enough to read the clause which I now hand you, 9 Geo. IV., c. 77, s. 10.? I believe th that is the clause which created the impressi that the Acts were to be renewed, is it not?— seems so: "And be it further enacted, th where, at the time of the expiration or repeal any Act for making and maintaining any tur pike road, any monies which may have been bo rowed, subscribed, or advanced under the pr visions of such Act shall be due and owing to t credit of the tolls thereby granted, the term a tolls to be granted by all and every subseque Act and Acts for maintaining such turnpike ro shall be, and the same are hereby made, subje and liable to the payment of the monies whi shall so remain due and owing on the credit such tolls, and of all interest to grow due thereo as fully and effectually, to all intents and pu poses, as if such monies had been borrowed or b come due on the credit or security of the tolls be granted by such subsequent Act or Acts; a all and every person and persons who may owe be subject or liable to the payment of any sum sums of money to the trustees for carrying a such former Act into execution, shall be liable the payment thereof to the trustees for executi any such subsequent Act or Acts, and su monies shall be applied by them for the purpos of such subsequent Act or Acts."

1057. Colonel *French.*] That is merely exten ing to any renewal of the Act the debt whi was incurred under the original Act?—Yes.

1058. But it does not give any security th there shall be any renewal of the Act?—No.

1059. Mr. *Walter.*] You said that the Highw Board was not very popular in your district?— my immediate district I think it is not.

1060. Has the expense of maintaining t roads been increased or diminished since th Board came into operation?—I cannot answ that question, because it has only been in oper tion for one year, and I am not quite aware wh the whole expense is.

1061. Has it ever occurred to you to consid wheth

whether the practice of levying the rates in the first instance on the occupiers, instead of the owners, does not create a false impression; in fact that the occupier really pays the rate himself?—Amongst the smaller and more ignorant class of farmers it does perhaps create that impression.

1062. But is there not, in spite of the undoubted fact that all the rates (like tithes, and so on) must fall on the landlord, a sort of delusion among the farmers that they really pay these highway rates and other rates, which are levied on them in the first instance?—No, not amongst intelligent men, I think; but there is the usual aversion to taking money out of their pockets.

1063. Do you not think all objection to a highway district rate would have been obviated if it had been thrown directly on the owners instead of on themselves?—No doubt; then they would be gainers to the amount of their rates.

1064. Those who had leases would be so; but in the case of yearly tenants the difference would be made up by an increase of rent?—Yes; and I should think *they* would feel much as they do now.

1065. Is it your impression that farmers generally would like an arrangement by which the landlords should take upon themselves the payment of all rates whatever, making a corresponding fair increase of rent?—I conceive such a thing would be impossible as that a farmer, either as a member of the Board of Guardians or as waywarden, should vote the rates, and at the same time, as landlord, be liable for them.

1066. No, certainly not; in such an arrangement the owner would keep the management in his own hands, would he not?—Yes; he ought to do so if he can.

1067. Are the highway rates in your county distinguished from the county rates, or are they all lumped together?—There is a separate rate in every parish for the highways, and always has been.

Rev. *A. Clive.*

21 April 1864.

1068. *Chairman.*] I suppose you are aware that the highways are sometimes used to evade tolls?—Very much so, I think.

1069. Is it not your opinion that it would be possible to do away with a good many highways?—I think that unnecessary roads might be stopped here and there, but not to any great extent.

1070. Sir *James Fergusson.*] You consider that it may be fairly stated, whoever may have been the original creditor on the roads, that in fact the district at large, having enjoyed the benefit of the roads for a series of years, becomes morally responsible for the debt?—I think so; the owners, not the occupiers.

1071. Colonel *Pennant.*] Have you any other trusts in the immediate vicinity of your roads coming very near this one?—Yes. Our trust of Hereford extends for a circle of about 10 miles radius all round the town of Hereford; outside of that there are other trusts.

1072. But I mean, have you any other trust roads running in any way parallel to any of your roads?—No; one trust is very much in a ring-fence.

1073. Would it not be the case, supposing tolls were abolished in any one trust, and another trust ran in any way parallel, that the traffic might be diverted, so as to throw an undue expense on the other portion of the district?—Yes, no doubt.

1074. And that would reduce the income of the neighbouring trust, so as to prevent its paying off the debt, would it not?—Yes; that would be possible.

1075. Colonel *Gilpin.*] Do you take any money from any of the parishes in your trust?—No.

1076. *Chairman.*] Is there anything which you would wish to add to your evidence?—I think not.

The Rev. EDWARD HIGGINS, called in; and Examined.

1077. *Chairman.*] I BELIEVE you are a clergyman?—I am.

1078. Having no cure of souls?—That is so.

1079. I believe that you have property in Herefordshire and Worcestershire?—Yes.

1080. And you are the Chairman of a Highway Board?—Yes.

1081. The last witness informed the Committee that there was a petition in the County of Hereford, having reference to the abolition of turnpike tolls; did you draw up that petition?—Yes.

1082. How was it signed?—It was signed by the whole of the magistrates on the Bench at Quarter Sessions, except six.

1083. That petition is in the hands of the County Member, is it not?—Yes; and in the hands of Lord Bateman for the House of Lords.

1084. What is your opinion on the system of collecting money by tolls for the repairs of roads?—I think it is a very barbarous system; the time is gone by for that.

1085. Taking the distinction between a trust which is in debt and a trust which is not in debt, what would you do with regard to the repair of the roads where the trust was not in debt?—I would throw the repair of the roads on the ratepayers, in the same way as the bye-roads are repaired; I mean on the highway district, not on the county.

1086. What would you do with regard to a trust which was in debt?—I would place the debt on the landlords by an exhaustive rate, on the owners of real property.

Rev. *E. Higgins.*

1087. I suppose you would do that on the principle that the property is benefited by the road?—Yes, it is a permanent benefit; the improved road is a permanent benefit to the land, and the landlord is the permanent owner; therefore there are equitable reasons why they should pay, and I think that in my district they are willing to do so.

1088. What is your idea of the general opinion of the ratepayers?—I think that the ratepayers are in favour of doing away with the turnpikes. I have spoken to a number of the members of my Board, and they are in favour of it. With regard to the petition, in order to show that it was agreeable to the ratepayers of the county, I will mention that there was no letter in any of the papers of the county in which there was any observation made about it, except in favour of it. There was one letter strongly in favour of that proposal of throwing the repairs on the district, and the debt on the landlord.

1089. Have you heard that a somewhat similar system has been adopted in many counties in Scotland?—No, I cannot speak to that at all.

1090. Can you give us instances of any particular trusts in your neighbourhood?—There is

Rev. *E. Higgins.*

21 April 1864.

the Ledbury Trust, and the England's Gate Trust.

1091. What is the condition of that trust?—The England's Gate Trust is a line of road which has, within the last 30 years, been made from a parish road into a turnpike road. Mr. Arkwright advanced the principal part of the money. It is a line of 10 or 12 miles, and it leads from England's Gate towards Gloucester and Ledbury.

1092. What is the state of that trust now?—The state of that trust is just this, that they get from the collection of tolls 280 *l.* a-year; that they pay 60 *l.* a-year for clerks, surveyors, repairs of turnpike gates, and tollhouses, and 50 *l.* a-year for collecting the money: that is 110 *l.* out of 280 *l.*

1093. That is, about 40 per cent.?—Yes.

1094. Who repairs the road?—The ratepayers of the district. There is an order made by the magistrates upon the parishes through which the road runs every year.

1095. Have you made such an order yourself?—I made an order the other day; but under this new Act, the notice is given to the surveyor of the Board of Waywardens of the amount he requires. I think that for about a mile and a half of road the surveyor required 34 *l.*, and the farmers in the district thought that rather too much. I said to the surveyor, "Go and make a survey of this part of the road." He brought forward a reduced estimate of 24 *l.* That was the effect of our Highway Board; they have been repairing the roads out of the rates.

1096. What is your opinion with regard to the present effect of the turnpike system on small rural towns?—A man says, "I will not go through two turnpikes; I will not go to this or that town: I will go to the railway station, and to some other town, for what I want." Ledbury has suffered a great deal from the railway. At present the trade has very much diminished, and so it has in a vast number of towns. I believe that it would revive a great deal of the trade if those turnpikes were abolished.

1097. You think that trade would be revived by the abolition of the gates?—Yes; the towns are now surrounded by turnpikes.

1098. Now, with regard to the long traffic. Since the railroad came, do you believe that there is much long traffic to be obtained upon those roads?—Scarcely any. You go from one part of Herefordshire to another, and you do not meet a single commercial traveller, or scarcely a waggon or stagecoach; the heavy goods go by railway, and passengers also.

1099. How do you believe that the toll is paid?—By local traffic, no doubt, almost entirely.

1100. If in a Report made by a Committee of this House, in the year 1836, much weight was given to the objection that it was desirable to catch the long traffic, do you conceive that that objection is at an end now?—Entirely.

1101. The tollpayers and the ratepayers are now the same persons, are they not?—Exactly: with this difference, that a vast quantity of the amount received for tolls is frittered away in the collection, and so on; the ratepayers do pay the tolls with that disadvantage. Under the other system they would pay still, but they would look after it a little better.

1102. Colonel *Pennant.*] What is the trust which you have mentioned as being administered in such a way that a very large portion of the income goes to salaries and cost of collection?—It is called the England's Gate Trust; it is in the county of Hereford, adjoining Ledbury.

1103. Is that a trust which is going on under a very old Act of Parliament?—No, it is a road which was constructed about 20 or 30 years ago; I do not know what the Act is.

1104. Then the term of that Act must be nearly expiring?—Yes. Mr. Arkwright, the present owner of the estate, applied for a renewal of the Act the other day, and the Act was renewed; but they would not allow him all his interest, and docked off a large quantity.

1105. Was that renewed by consent of the Home Office; has it never been brought before Parliament?—I think that it must have been; it was not under the Continuance Act.

1106. But you are aware, I suppose, that the Home Office have the power of enabling the trusts to be continued by arrangement with the trustees of the road?—Yes.

1107. You think that that trust has not been continued under that arrangement?—I am not certain whether it was under that arrangement, or by Act of Parliament. I do not attend the meetings on the England's Gate; I attend the meetings of the Ledbury Trust.

1108. But if it was passed 20 years ago, the Act must either have been continued, or else it must be very near its expiration?—I know that Mr. Arkwright applied for an Act a few years ago, or else that it was continued by the Home Office, and that they reduced a considerable amount of interest. The debt is 2,600 *l.* on that trust.

1109. Unless that was renewed by another Act of Parliament it must have been done by the consent of the Home Office?—I cannot say.

1110. You are an *ex-officio* trustee, are you not?—Yes, but I do not attend the meetings. There is such a complaint about the rates from the orders of the magistrates for the repairs of the roads that there was a motion made to place those roads under the Board of Waywardens at Ledbury; they applied to the Home Office, but I do not think they have had an answer yet.

1111. But the debt was an objection to that, I suppose?—No; it was merely to manage the roads. The Commissioners were to take all the proceeds of the tolls, but to let the parishes manage their roads under the Board of Waywardens at Ledbury.

1112. Colonel *Gilpin.*] Are the Commissioners to pay nothing towards that?—Not from the tolls; they do not pay anything now.

1113. Colonel *Pennant.*] I think you said the clerk's salary was large?—The figures I gave includes clerk, surveyor, and the cost of collection of the turnpike tolls.

1114. The whole amounting to 40 per cent.?—It is in all 120 *l.* out of 280 *l.*

1115. Mr. *Alcock.*] Is the position which you have referred to founded upon the general principle of the proposition of the Chairman of this Committee?—Pretty much so.

1116. Did I understand you to say that that proposition is entirely supported by the trustees as a body?—In the Ledbury district it is.

1117. In your petition you suggested that the debt should be paid off, and that it should be paid off by making a charge on the owners of land?—Yes.

1118. And

1118. And that the future repairs should be done at the expense of the occupiers?—Yes.

1119. Colonel *Stuart.*] I think you have stated that the farmers generally would be very glad to get rid of the tollgates and to repair the roads themselves.?—In my district they wish to get rid of the tollgates, and to fall in with that arrangement.

1120. I suppose that is partly owing to the fact that they now keep up the roads and pay tolls too?—In the England's Gate district they wish to put the turnpike road under our Board.

1121. Is that the Board where they do not get enough to pay their repairs?—Yes.

1122. Have you any idea what the expense would be per mile in repairs, and so on?—No.

1123. What is the surveyor paid per mile?—I should think that he gets about 20 *l.* a-year.

1124. What is the length of the trust?—About 10 or 12 miles.

1124.* Can you tell me what is the mileage expense of the surveyor?—I cannot tell you.

1125. Would you propose to make the charge on the parishes by a mileage rate, or by a general scale of assessment?—I would do it by assessment.

1126. The highway rate is charged by a mileage on all the parishes equally, but the turnpike road does not run through every parish, while the highways do; is not that so?—Yes.

1127. Would you put the rate on all the parishes as the highway rate is levied now?—I would have a district rate which would include those parishes that have no turnpike roads.

1128. You would throw it equally upon the whole of the parishes, though some of them might be 10 miles from a turnpike road?—Certainly; that is only right and just; it is, in fact, collected now in the poor's rate. You will have a union rate next session, and I would have a district road rate.

1129. Take the case of a parish surrounded with turnpikes not getting any benefit from the roads, but having access by its own roads to other places; what would you say to such a case as that?—I do not think there is any parish that is not benefited by a turnpike road; there may be a parish of a thousand acres without a turnpike road actually in it, and yet they may use the turnpike road. We all of us, in fact, want the best roads, and we use them.

1130. Sir *James Fergusson.*] You think, in fact, that owing to the extension of railway communication and other causes, all roads are now virtually roads for local accommodation?—Certainly.

1131. So that spreading the area of assessment over the whole district has now become fair in principle?—Yes, I think so.

1132. You anticipate greater economy of management from the uniting of all classes of roads under one management and one assessment?—I do; and for this reason. Under the present system of trusts, a man goes through a gate and pays a toll; he does not know where the money goes to, because it goes to the general fund of the trust, and he takes no further interest in it. But that is not so in the case of the bye-roads; you have a waywarden in each parish, and the roads are supported by rates. The farmers in the parish, if they have got a rate rather high, have a direct interest in seeing that the rate should be properly laid out, and as well as possible; when they see that a man comes at seven o'clock instead of six o'clock to work, they report it to the surveyor at once. Under the turnpike-trust system, the whole depends on the surveyors; no person has any direct interest in seeing to the expenditure of the money, except to see that he has a fair road to travel on.

1133. Colonel *Gilpin.*] What power has the waywarden?—He can keep his eyes open.

1134. But he can give no orders, can he?—He can give no orders, but he would mention it to the Board.

1135. You mean at the quarterly meeting?—There is a monthly meeting in our district.

1136. Sir *James Fergusson.*] Do you not think that a competent surveyor, a man selected for his knowledge and skill, would be interested in seeing that the roads were well and economically repaired, and that the Managing Board would place confidence in him, I mean after the establishment of a united management of both classes of roads?—I think so.

1137. There would, in that case, be no more difference in the economical management of one road than another, would there?—I think it would be much more economical, because the roads would be looked after by the ratepayers, who have a direct interest in the matter. It seems absurd to have two surveyors in the same district, when there are roads crossing each other everywhere, and the Highway Board Surveyor goes over the turnpike roads as he surveys the parish roads in his district.

1138. *Chairman.*] I do not understand you to say that the waywarden has any power?—No.

1139. But in one case his observation is excited, and in the other case it is not?—Yes. He is more of a gentleman than the old parish surveyors; he has nothing to do with collecting rates now, he rides about the parish, and he mentions what he sees, and the surveyor is very much obliged to him.

1140. He is a sort of self-constituted road police?—Yes; one surveyor cannot be in every place over a distance of 150 miles.

1141. In one case it is the interest of the person to look after it, and in the other it is not?—Yes.

1142. Colonel *Pennant.*] It is the interest of the trustees to see how the money is laid out?—They leave the whole of it to the surveyor.

1143. That is a neglect of duty, is it not?—It is generally the case, I think, that they leave it to the surveyor.

1144. Do you think that those enormous percentages in the cost of collection and management arise from the trustees not doing their duty very strictly?—I think that there is a great waste of money: it must necessarily be so, because there is no direct interest in it; but where a man's pocket is touched, he will always look after things; that is always the case, particularly with farmers.

1145. Mr. *Wrightson.*] Would it not be essential to any such plan that the highway district arrangement should be made compulsory?—Yes, I would have it so; it was a great mistake that it was not made compulsory at first.

1146. Colonel *Gilpin.*] Do you find that the Highway Act is popular in your neighbourhood?—It is very popular in my district, and I think that it is getting popular in the county. It is not so in Worcestershire, but that can be accounted for.

1147. Colonel *Pennant.*] Would you have the whole of the expenses of the district levied according

Rev. *F. Higgins.* 21 April 1864.

according to the assessable value of each parish, or would you make it parochial?—I would have it under the new parochial assessment; the poor-rate assessment.

1148. But would you have the contribution in the district levied according to the assessable value of each parish, or according to the expenditure of each parish as it is now: because, although the district funds are found out of the Highway Act, the contributions for the roads are made parochially; that is to say, the sums expended in each parish are paid in each parish?—I would propose that you should have a district rate, and that that rate should be levied upon this new assessment, which has been going on throughout England under the Poor Law.

1149. You would levy it according to the assessable value?—Yes; it is part of the poor-rate now.

1150. Colonel *Gilpin.*] You say that the Highway Board is popular in your parish; have your expenses considerably decreased?—No; they are a little more than under the old system, but I have no doubt that in time we shall get them lower.

1151. But still you say the Act is popular?—Yes.

1152. *Chairman.*] Are the roads better?—Yes, much better. The principle I should lay down is this: make the principal roads (to any railway station, for instance) good, and a man will be content to go a mile round if he gets a good road. I would repair occupation roads with very little traffic to some extent, but not repair them like turnpike roads; you would lay out no end of money if you did. I would have the main roads attended to in the best possible manner.

1153. Mr. *Legh.*] Do you think that the new Highways Act has been enforced long enough for you to be able to give a decided opinion with regard to its operation in your neighbourhood?—I think so.

1154. But it has only been in force one year, has it?—It has answered very well.

1155. You would not be inclined to wait before you made any change in the turnpike trust, until you had had a satisfactory trial of the working of the new Highway Act?—No; I think it is one of the best Acts that ever were passed. I think we have long wanted it, and the more the farmers know of it the more they will like it.

1156. Have you considered the question of the abolition of turnpike gates in other parts of the country?—In Herefordshire and Worcestershire I have, for I have property there. They have been abolished round Goodwood, I believe.

1157. You do not know anything about more populous districts, I suppose?—I know nothing of the North of England.

1158. *Mr. Western.*] You said something about the Parochial Assessment Act, and that you would propose to give power to the Guardians to assess the district; have there been many appeals against the rates since that Act has been in force?—Not one in my district, nor have I heard of one.

1159. Then the Guardians who were appointed to carry out that assessment have satisfied the ratepayers, you think?—In my district they have; and you have the power of adjusting it from time to time

1160. Is there a great disparity in rating between the various unions throughout the county?—Yes. We assessed the county two years before, and we took the basis of the income-tax in the county; in Ledbury we first obtained a return from the overseer.

1161. Supposing that a recommendation was made by this Committee that the different districts should come under the Guardians for rating, do you think that it would give satisfaction throughout the County of Hereford generally?—They do now come under the Guardians for rating. The highway rate now is collected on the poor-rate assessment; they are one, in fact; the rates are both collected together.

1162. You think that would be a preferable mode to having it managed by the county?—Yes, certainly.

1163. Do you think it would be more reasonable that the Quarter Sessions should have the levying of the rate?—I am not aware that the Quarter Sessions would levy the rate more equitably than the people of the district; it is better, I think, to have the more popular system.

1164. With regard to towns, what would you propose to do with regard to roads within towns or within a short distance of towns?—The town of Ledbury has not a turnpike road.

1165. Is the road repaired by borough assessment?—No; it is repaired by the parochial rate, the same as the roads are outside the town.

1166. Would it not be more cheaply done if done by the county than if it were done, in the way which you propose, by the district?—No; I think it would be more expensive. I think that the people in the district would do it more cheaply.

1167. *Chairman.*] Is there a rate in the town of Ledbury?—Not a district rate.

1168. How is the money collected, then?—The money is collected by a parochial rate; they are all assessed, and Ledbury is part of a parish.

1169. But how are the roads in Ledbury itself repaired?—They are repaired out of the fund which is collected from the parish generally by a rate.

1170. Colonel *Pennant.*] The common highway rate, I suppose?—Yes.

1171. But not under the Local Board government?—No.

1172. Is it under a Board of Waywardens?—Yes.

1173. There is no hardship in that, is there?—No. As far as Ledbury is concerned, the rate is much lower. They were very much afraid of it at first. It was 4*d.*; but they have only paid 2*d.* this year.

1174. You think that the great security for the proper administration of a road fund is having it under the charge of the ratepayers?—I do.

1175. The old highway system was under the charge of the ratepayers, was it not?—Yes; but then you had a surveyor, who tried to get out of it as soon as he possibly could. The surveyor did little or nothing.

1176. But I mean that the immediate superintendence of the ratepayers had not the effect of making the system a very good one in that case?—He knew nothing about roads; the surveyor was never good for anything.

1177. But what greater security is there with a Highway Board, that the immediate superintendence of the ratepayers would produce a better state of things?—Because the waywarden likes his office; he has nothing to do but to come to the Board and express his opinion.

1178. *Chairman.*] In fact, he is a member of a local parliament?—Yes.

1179. Mr. *Walter.*] Who should you say are the

ıe ratepayers?—The occupiers of real property.

1180. Are they the persons who pay the rates irectly, or the persons on whom the rates fall ltimately?—They must fall on the landlord ventually.

1181. Is not he, then, the ratepayer?—That is question of political economy; but indirectly e is.

1182. Taking your view of the question, that ıe persons who pay the rates are the most inteested in keeping the roads in order, would it not e conducive to the better making of the roads if ıe landlords, who ultimately pay the rates, had ıe management of the roads?—I think not; ecause the landlord has only an indirect interest ı it, and the ratepayer has a direct interest in it.

1183. Supposing that the landlord took upon imself the payment of those rates, as he does very often the payment of tithes, would he not in such a case be more directly interested in keeping the roads in order than the ratepayer?—To stand so.

1184. Would not that feeling be done away with, which the occupier now has, that *he* pays the rate?—Probably so; if the landlord paid the rate, he would have the sole laying out of the money.

1185. Or other persons might be appointed, might they not?—The landlords would not let other persons deal with their money.

1186. They would appoint a surveyor, would they not?—They would lay out the money, and I think would not let the tenants interfere: such a system as that would never do, and very properly too.

1187. *Chairman.*] Have you anything further to state to the Committee?—No.

JOHN LEES, Esq., called in; and Examined.

1188. Mr. *Alcock.*] YOU are Surveyor to the Leigate Turnpike Road?—Yes.

1189. And have been so for some years?—For our years.

1190. Do you know the scheme which I sugested some two or three years ago for the payıent of the debt on the Reigate Turnpike Road?—Yes.

1191. That scheme was laid before the Board ı 1861?—I think so.

1192. And I suppose you heard it discussed y the Board?—It was laid before the Board.

1193. Did you hear the observations made by ıe different members?—Yes.

1194. How many members were present at the Board at that time?—About the usual number; omething like eight or nine.

1195. And amongst them was Mr. Clutton, he great land surveyor, and Mr. Sherrard, the ngineer, who is a magistrate, and who lives at Reigate?—Yes, to the best of my belief.

1196. Was that scheme generally approved, or as the phrase is) favourably received?—Yes, it ight be said to be favourably received.

1197. Is that (*handing a paper to the Witness*) copy of the minute passed at the meeting?—Yes.

1198. What was the plan I proposed?—The lan was to commute the present debt existing pon the turnpike road into an annuity for 30 ears, and to charge that annuity upon the rateble value of every parish through which that urnpike road passed; the effect being, that it vas equivalent to an annuity for 30 years of about *l.* 8 *s.* per mile, which would impose a rate varyng from a ¼ *d.* to 3¼ *d.* in the pound upon the ateable value of the parishes through which the oad passed.

1199. *Chairman.*] Was that for the repair of he road?—No, only for the payment of the ebt.

1200. Mr. *Alcock.*] Do you think that was a air and reasonable mode of liquidating the debt?—I cannot say that I approve of charging the ate only on the parishes through which the road uns; I would prefer to charge the annuity upon he parishes comprised in the highway district in vhich the roads may be situate, because people iving in the adjoining parishes are as much interested in the road as those living in the immeiate parish.

1201. *Chairman.*] It is one district in fact?—One highway district.

1202. You would have a district rate?—A district rate, so that each parish should contribute in the same way as they do upon the establishment charges.

1203. Of the poor law?—Of the Highway Boards.

1204. Would you propose that that should be according to the value of the property, or according to the expenditure on the roads?—I should prefer its being according to the value of property; but the Highway Act makes it according to the expenditure on roads.

1205. Mr. *Alcock.*] Is it not the fact that some of the parishes through which the road runs are not at all under the Board of highways?—Not the same Board, but they do belong to others; the county through which the road runs has been divided into districts. Taking Mr. Alcock's principle as here printed, it would require a rate for the extinction of the debt, of 2¾ *d.* in the pound in one parish; in another parish it would be 1¼ *d.* in the pound; in another ½ *d.* in the pound; in another 1 *d.* in the pound; in another ¾ *d.* in the pound; in another 3¼ *d.*, and so on; but that is only for the extinction of the debt. Inasmuch as the repairs would come to three times as much as the charge for the extinction of the debt, it would fall upon some of those parishes in the shape of an additional highway rate equal to 13 *d.* in the pound, which is more than the parties paying the rate would submit to; but if it were carried over the highway district, as far as I can estimate from two of the parishes, the extinction rate would not amount to ¾ *d.* in the pound, and the maintenance rate to about 2 *d.* in the pound.

1206. I believe that the debt of that trust is 12,000 *l.*?—£. 12,000 *l.* in round numbers.

1207. Do you think the calculation that we made, that the real value would be worth about 50 per cent. off that was fair?—During the past few years a certain amount of money has been acccumulating, and been offered to the bondholders, and certain parties have accepted compositions varying from 20 to 62 per cent.; but I think 50 per cent. would be a very liberal figure.

1208. What interest is paid now?—Two per cent.

J. Lees, Esq.

21 April 1864.

1209. It was 5 per cent., and then it was reduced?—I believe so.

1210. We proposed to sell the toll-houses, which I valued at 70 *l.* each; would that, in your opinion, be a fair value?—In this district I should think it would, with the materials.

1211. Colonel *Gilpin.*] I suppose they must be pulled down, and the materials sold?—Yes; they must be pulled down, but the site can be sold to the adjoining occupier; with the materials they would be worth 70 *l.* each.

1212. Mr. *Alcock.*] You would say that the plan was well received by the trustees, whom you heard speaking of it?—They all seemed to think that it would be very desirable to get rid of the tolls, and that this was a reasonable scheme for so doing.

1213. Mr. *Walter.*] What is the number of gates in your trust?—Seven; the road is 30 miles long.

1214. What is the average expense of each gate?—The tolls are let annually, so that the expenses fall on the lessee, and not on the trustees.

1215. What is the surveyor paid a mile?—Not quite 2 *l.* a mile.

1216. Colonel *Stuart.*] Have you any treasurer?—Yes.

1217. What do you pay him?—I think his expenses are about 4 *l.* a year.

1218. What do you pay the clerk?—£. 40 a year.

1219. Colonel *Gilpin.*] Have you any miscellaneous expenses?—Yes.

1220. What is the average of the incidental expenses?—I have not the accounts here, but I think the incidental expenses are about 15 *l.* or 16 *l.* a year; I do not think the simple incidentals would amount to that; they would perhaps be about 6 *l.*; that 15 *l.* includes rent of room for meetings, and so on.

1221. Mr. *Walter.*] To whom are the tolls let?—To various lessees.

1222. But are the persons who live at the toll gates employed on the road or merely in collecting the tolls?—Merely in collecting the tolls.

1223. What do they receive for that?—Eight shillings to 10*s.* or 11*s.* a week: those that I have asked they are principally old men or else women.

1224. They receive about 25 *l.* a year you think?—That would be quite the extreme.

1225. And all that expense would be saved if the trust was abolished?—No doubt; and another expense which falls on the various parishes would be saved because the tolls are evaded to a great extent, and, consequently, there is an undue wear and tear upon the adjoining roads.

1226. *Chairman.*] The expense of the wear and tear of the adjoining roads falls on the ratepayers now?—It falls on the ratepayers.

1227. Sir *James Fergusson.*] Those old people who keep the turnpikes would be in the poor-house very often if they were not in the toll-houses, I suppose?—Very likely.

1228. But the great saving, I suppose, would be in uniting the management?—Undoubtedly; I do not think in this particular instance there would be much saving in the maintenance of the road because the trustees look very keenly after that, but there is no doubt the expenses would be saved.

1229. And I suppose that the roads would be more uniformly kept with regard to the repairs all over the district?—I think they are well ke now.

1230. But the highways and the turnpik would be more uniformly kept?—The turnpik road is always the best in that district.

1231. But there would then be a unifor system over them all?—There would.

1232. Sir *William Jolliffe.*] What is the ter of the Reigate Act?—I believe there are abo 16 years of it unexpired.

1233. When was it passed?—The Act w renewed about five years since for a further ter of twenty-one years.

1234. What was the amount of the debt, that time?—I believe that about 500 *l.* has be paid since that time.

1235. In five years?—Yes; and the amou of the tolls was reduced one-third upon the r newal of the term of the Act?—It was agreed the time of the renewal of the Act that the to should be reduced.

1236. Sir *William Jolliffe.*] You said, that that debt about 500 *l.* had been paid off, at abo the rate of 50 per cent.?—Yes.

1237. On the average?—Yes; the highest w 62 per cent., and the lowest was 20 per cent.

1238. Have you a higher toll on narrow whee than on broad wheels now?—Yes.

1239. Supposing the road to be given up the highway district, all control over that poi would cease?—Entirely.

1240. Do you suppose that the wear and te would then be greater than it is now?—I think s

1241. And the roads would be more expensiv to maintain in that respect?—Yes; narrow whee with a heavy weight upon them cause more we and tear than broad wheels.

1242. That would be a disadvantage, I su pose, to a certain extent, with regard to the mai tenance of the road?—Undoubtedly.

1243. But, on the other hand, in the establis ment charges you would look for greater econon under a Board of Waywardens than under th management of the Trustees?—I do not thi that any economy would arise in the maintenanc but there would be economy in the establishme charges.

1244. Is your Act of Parliament continu from year to year?—It is for a term of 21 yea and it was renewed a few years ago.

1245. Colonel *Barttelot.*] Where does yo trust run from, and where does it go to?—Fro Ewell to Sutton, from Sutton to Reigate, and on, towards Crawley.

1246. Is your turnpike road much affected b the traffic to Epsom races?—The northern portio of it is very much affected.

1247. Would it not, in your opinion, be ha that the country parishes should have to pay f the pleasure traffic to Epsom? Is not the te taken there the fairest thing for all parties?—I not think so.

1248. Why do you not think so?—Because th interchange of traffic appears to me to be equitable arrangement for all the roads.

1249. How do you mean interchange of traff because here is traffic poured in on a certain da in the year which cannot possibly be of any bene to the out parishes through which the traf goes?—It being pleasure traffic, nearly all th pleasure seekers spend money in those places, an benefit the ratepayers to a great extent.

1250. That may or may not be true, becau some of the parishes have no villages in them, b

a

e rural parishes?—Then the people migrate to here the pleasure seekers go to.

1251. Have you considered this question with gard to the whole of the county of Surrey?—I ve considered this question with regard to the hole county, but my knowledge is not suffiently extensive to give you much information.

1252. In your own immediate district, you elieve that the ratepayers would prefer having e tolls done away to keeping them on?—I do.

1253. Mr. *William Legh.*] Have you any eans of getting at the feeling of the ratepayers this large district, or is that a supposition?—t is the result of observations which I have ade from year to year, and also from my conexion with the highway district in that part of e county; I have had opportunities of hearing e opinion of the waywardens and parishioners.

1254. I suppose that there has never been any ort of canvass carried on to find out what the eeling of the district is?—No.

1255. Do you think that a few glasses of beer r spirits sold at a wayside house on the Derby ay would be sufficient to compensate people for aving the repairs of the roads thrown upon them ntirely?—I should think not, but it is not onfined to that.

1256. But there are many places where there s a public-house and one or two cottages close y, where what I have mentioned would be all the enefit?—So far as my own experience goes, it eems to me that every one in the locality gets employment during the race time, either directly r indirectly; they seem to leave their ordinary ways of life, and become attendants on the races; it is so at Epsom, at all events.

1257. Colonel *Pennant.*] Your road of 30 miles ong passes through two districts of highways, if not more?—Yes.

1258. How would you apportion the debt?—It would be 400 *l.* a mile, it being nearly 12,000 *l.*

1259. How would you apportion that upon the different districts through which the road passes?—I would take the number of miles in each district, and calculate the debt at per mile.

1260. You would throw that proportion of mileage whatever it gave upon the district?—Yes.

1261. Irrespective of its assessable value, you would apportion the debt by the mileage, and not by the assessable value?—Yes, in assessing the amount of the debt.

1262. Might it not happen that the greater mileage might be thrown on the poorer district?—It might happen so.

1263. There seems to be a contradiction of the printed statement put in with regard to this trust. You said that the Act was renewed a few years ago, and that it had 16 years to run. Now the statement put in in print to the Committee is, that the local Act has long since expired, and that the Secretary of State can continue or not your powers from year to year, as he thinks fit?—That bears the signature of an Honourable Member of this Committee, who is responsible for it.

1264. Mr. *Alcock.*] You do not know, I suppose?—I have paid no attention to the legal part of the subject.

1265. Colonel *Pennant.*] Irrespective of the debt, you consider that it is in the power of the Secretary of State to put an end to the trust at any moment?—I am not aware of that fact.

1266. What amount of debt are you paying off every year?—When I understood that the Act was renewed for 21 years, the Secretary of State was anxious that some of the debt should be paid off; the trustees, therefore, entered into an arrangement with the respective parishes to pay so much per mile for each parish to the maintenance of the roads, in order that the tolls might be accumulated to pay off the debt. That was carried out for some considerable period, and it was found that the trustees were enabled to pay off something like 500 *l.* of the debt; but the amount for maintenance which it has cost them since they got the road back has been about three times the amount of debt paid off; in other words, the amount of maintenance since they resumed the care of their own roads has been, in the two years, about 1,000 *l.* or 1,500 *l.* more than the ordinary expenses, so that the 500 *l.* were in reality paid out of the capital.

1267. Sir *William Jolliffe.*] I suppose that the parishes had very much neglected the roads?—Yes, they had very much neglected them; in fact, there was no machinery to enforce proper attention.

1268. Colonel *Pennant.*] Then, to collect the present parochial rates in that district, have you paid collectors?—In some parishes we have, but not in all; in the rural districts I believe that unpaid officers usually collect the rates.

1269. Are the collectors paid by per-centage on the amount collected?—Not in every case; in Reigate and the large towns they are paid by a per-centage, but in one or two other towns they are paid by a salary.

1270. In calculating the diminished cost of collection, you would have to take off that per-centage from the diminution?—You would, in the cases where the collectors were paid by a per-centage.

1271. Mr. *Western.*] What is the value of the land upon which the toll-houses stand?—The value of the land must vary very much as you approach the town of Reigate.

1272. Is the 70 *l.* you save the average of the seven gates?—I think so.

1273. Are the tolls generally evaded, especially by persons coming in and out of the town of Reigate?—There is a means of evading the toll.

1274. Is that much done?—I think so.

1275. Do you think, where there is an opportunity of evading the tolls generally in your trust, that parties are apt to do so?—I judge so from the complaints which were made by the lessees, not long since, that although vans went repeatedly from London to Brighton, they seldom saw them return. We placed men on the road to watch, and we found, in many cases, that the vans were taken round by another road to avoid the gates.

1276. I suppose that you are satisfied that the toll collectors do not commit any fraud; but have you not found that in your annual statements, the amounts have varied very much?—I have never had anything to do with the trust while the tolls were collected by the trustees, but the tolls are let at present, and each year they have been let for a higher sum than the past year; they were let four years ago for 1,080 *l.*; they are now let for 1,320 *l.*

1277. Do you consider that the feeling would be very strongly in favour of getting rid of the tolls in your district?—Among the private residents, in the neighbourhood of Reigate, it would, no doubt.

1278. Supposing that the Committee should recommend that turnpike gates should be got rid of,

J. Lees, Esq.

21 April 1864.

of, would it cause much dissatisfaction among the parties in the different districts, who would be called upon to contribute to the payment towards the roads?—I think not, because the payments would be so slight.

1279. Colonel *Hussey Parke.*] I understood you to say that your turnpike road was thrown upon the parish to repair it, and that at the end of the two years, during which they had them under repair, when they were returned to your charge they were so much out of repair, that it cost nearly the amount which had been saved, to put them in repair again?—Yes; that was so.

1280. *Chairman.*] Under what surveyor were the roads?—They were not under any surveyor, but the parish surveyor.

1281. Was that before the establishment of the Highway Act?—It was before the establishment of the last Highway Act.

1282. Before there was any competent surveyor to take charge of them?—It was.

1283. Have you on the Reigate Trust a good deal of metropolitan traffic?—A great deal.

1284. That pays toll?—Yes.

1285. Yet in spite of that advantage you still think that the ratepayers would not object to repair the roads?—I think not.

1286. Why not?—Because every time the ratepayer drives out, or has anything brought to his house, he has to pay toll.

1287. If there exists any case in the kingdom in which the amount of the pleasure traffic might be urged in favour of retaining the tolls, it is the case of Reigate, is it not?—To a certain extent it is.

1288. Yet you think that the ratepayers would not object, although they profit by the pleasure traffic, to abolish the tolls?—I am not in a position to say definitely; but I doubt whether the pleasure traffic pays the amount of the establishment charges at Reigate.

1289. Do you not think that it would be much less remunerative elsewhere, since it does not pay at Reigate?—I should apprehend so.

1290. Sir *William Jolliffe.*] I suppose that the proximity of the metropolitan traffic adds very much to the value of property in that neighbourhood?—Yes.

1291. Has the traffic, as a matter of fact, of late years added to the value of the property to an extraordinary extent?—I should think more than fourfold. The facility of railway communication and the beauty of the country have had such an effect, that land which was formerly worth 500 *l.* a year is now worth as many thousands.

1292. Where that advantage of being so nea the Metropolis occurs, of course it may imply a certain periods a considerable increase of pleasur traffic?—It is so.

1293. Looking to the greatly increased valu of property in that neighbourhood, do you conside that the pleasure traffic is not a detriment, bu rather a gain?—That is so, no doubt.

1294. *Chairman.*] The Committee have befor them the Report of the Committee of 1836, i which, on turning to the evidence of Mr. Jame M'Adam, I find the following paragraph: "I would rather have one very competent surveyo over a very large extent, than three inefficien surveyors over three small ones; and I think tha the great injury to roads has been the limited ex tent of the surveyor's duties, and the class of per sons that have been appointed road surveyors. Is that, in your opinion, the cause of your road going back in that period which you have re ferred to?—I think there can be no questio about it. The roads have been placed in th hands of different residents who knew nothing o road making, and hence applied expensive mate rial very inefficiently.

1295. It was to that cause chiefly that yo attribute the change for the worse during tha period?—I do; I may perhaps state that withi the past few months the turnpike road runnin through Merstham to Sussex has been, in som measure, thrown on the parishes; it had bee kept on by the trustees till repair was almos impossible; and then they being in a bankrup state, and the road worn out, they threw it upo the parishes.

1296. Colonel *Gilpin.*] Do you think that turn pikes, where they pay their way, have the advan tage of relieving the parishes because those per sons pay the tolls who use the roads?—Yes; bu they have one great disadvantage, namely, tha the people residing in the parishes have to pa the gates.

1297. But people who come from a distanc have to pay the gates also, whereas if the gate were not there, those persons would give no assist ance to the parish?—I do not think that tha assistance is a gain.

1298. I suppose that that depends upon th traffic?—It must depend upon the traffic, but i is not a gain in my district.

1299. Colonel *Stuart.*] Do you think that th extraordinary expenses entailed by the turnpik system far exceed any possible benefit from stra tolls collected from strangers?—I should say con siderably so.

Jovis, 28° die Aprilis, 1864.

MEMBERS PRESENT:

Mr. Alcock.
Colonel Barttelot.
Mr. Sclater-Booth.
Mr. Clive.
Mr. Fenwick.
Colonel French.
Colonel Gilpin.
Sir William Jolliffe.
Mr. William Legh.
Colonel Hussey Packe.
Colonel Pennant.
Col. Stuart (Bedford).
Mr. Walter.
Mr. Western.
Mr. Wrightson.

GEORGE CLIVE, Esq., IN THE CHAIR.

COLONEL PENNANT, a Member of the Committee; further Examined.

Colonel *Pennant*, M. P.
28 April 1864.

1300. *Chairman.*] Is there any statement that you wish to make to the Committee with respect to the Reigate Trust, upon which evidence was given on Thursday last?—With respect to the Sutton and Reigate Trust the witness stated that the Act had been renewed, and that there were about 16 years of the term to run. I find, on reference to the Parliamentary Returns, that there are only three trusts in that neighbourhood which have been in any way renewed: one is the Croydon and Reigate Trust, which was renewed in 1850 by a Parliamentary Committee. Upon that trust the debt was 22,120 *l.*; that debt had been reduced in the year 1860 to 11,439 *l.*, so that upon that debt 10,681 *l.* had been paid off. The second trust is that of the Surrey and Sussex Roads; that was renewed by the Parliamentary Committee at about the same time. The debt in 1850 was 29,455 *l.*; the debt in 1860 was nothing; so that the whole had been paid off during the intervening 10 years. There was another trust, the Sutton and Reigate Road Trust, the affairs of which were arranged under the provisions of the Home Office. The debt in 1850 was 14,280 *l.* and in 1860, 12,915 *l.*, so that the debt paid off in the 10 years was 1,365 *l.* That was renewed by the Home Office in 1852.

JOHN KELLY, Esq., called in; and Examined.

John Kelly, Esq.

1301. *Chairman.*] WHAT are you?—I am County Surveyor of Roscommon in Ireland.

1302. Are you aware of the Act of Parliament for Ireland of the 20th and 21st Vict. c. 16, with respect to tolls, which was passed in the year 1857?—Yes, I am aware of the Abolition of Tolls Act.

1303. Will you be so good as to give the Committee any information in your power with regard to the causes that led to that Act, and its effect?—Yes, turnpike trusts were first established in Ireland in 1729, when, by the 3d Geo. 2, sec. 18, 1,500 miles of road were put under that system; from time to time additional trusts were added; generally speaking, the acts were not renewed, and at their expiration the repairs of the roads came under the control of the grand juries. The year before tolls were finally abolished, 16 trusts expired, and when Mr. Clements was appointed commissioner, in 1856, there were not more than 325 miles of turnpike roads in Ireland.

1304. Colonel *French.*] Previous to your appointment as County Surveyor, had you to go through any examination with regard to your capability?—Yes.

1305. I believe that your duties are confined to two Acts of Parliament?—Yes.

1306. What are those Acts?—The 6th and 7th of Will. 4, c. 117, and the 7th Will. 4, c. 2.

1307. *Chairman.*] Are there any toll-bars left in Ireland?—None; the tolls were abolished in Ireland by that Act of Parliament to which reference has been made.

1308. Before that Act was passed, how many toll-bars were there?—I cannot tell.

1309. Was there a general system of tolls?—There was a system of tolls in particular places; in three provinces in Ireland there were toll-bars; there never was such a thing as a toll-bar in the province of Connaught.

1310. Will the same remark apply to Munster?—In Munster there were a good many, but not so many as in Ulster and Leinster.

1311. Was there a system of trusts?—Yes.

1312. Was there a debt upon those trusts?—I do not know; I believe there was; I have no official means of knowing, but the universal opinion was that they were in debt.

1313. The trusts were then abolished?—Yes.

1314. What became of the debt then?—I cannot tell; I believe that they were charged on the counties, or abandoned altogether in some instances.

1315. Were they charged on the baronies, or on the counties?—I believe half on the counties at large, and half on the baronies.

1316. Since then how have the roads been maintained?—They have been charged on the baronies in the usual way by the Act which governs all Ireland.

John Kelly, Esq.

28 April 1864.

1317. Which Act is that?—It is the Act of 6th and 7th Will. 4, c. 116; that is the General Grand Juries' Act, which governs all Ireland.

1318. Colonel *French.*] In seeking to place the charge of public works in Ireland, such as the repairs of roads or bridges, or the construction of new roads on the county rates, will you explain to the Committee the necessary steps to be taken, and by whom; have you to apply, in any case, for an Act of Parliament?—Any two cess payers can originate a presentment or application for a new road, or any other public work in the county; the first step to be taken is to serve me with notice of their intention to do so, which they do 10 days before the sessions; it is my duty then to look into the matter and see if it is necessary; they lodge a formal application with the secretary of the grand jury; that is the form gone through; the matter is published as much as it well can be; they serve notice on the clerk of the petty sessions, who puts the notice in his office for public inspection, and the applicants post the notices at the police station of the district in which the proposed work stands; the police put it on a board at the door, and protect it for public inspection.

1319. Are there not also printed reports of the works to be applied for, which are served upon the magistrates and all the cess payers appointed by the grand jury?—Yes, there is a printed form; there is an abstract of all the applications lodged with the secretary of the grand jury, and notice on a printed sheet is circulated through the post-office to every magistrate, and to every cess-payer, entitled to vote at the sessions.

1320. The same process is gone through in every barony in Ireland I suppose?—Quite the same.

1321. Can you state to the Committee how many baronies there are in Ireland?—There are 320 baronies in Ireland.

1322. *Chairman.*] What is the average number of baronies for a county?—Some counties have 15, others eight, others seven, others 11; there are 23 in Cork; they are all of different sizes, according to circumstances, but for the whole of the 32 counties there are 320 baronies, which is 10 on the average. The following is a list of the baronies in Roscommon, and their estimated value:—

Names of Baronies:		£.	s.	d.
Athlone, North - - -	29	711	5	–
Athlone, South - - -	35	430	–	–
Ballintobbe, North - -	14	243	–	–
Ballintobbe, South - -	27	694	9	–
Ballymoe - - - -	15	490	4	–
Boyle - - - -	42	256	–	–
Castlerea - - - -	39	971	–	–
Frenchpark - - -	28	824	–	–
Moycarne - - - -	10	778	–	–
Roscommon - - -	49	504	–	–

1323. Colonel *French.*] Those two cesspayers who make the application come before the road sessions?—The presentment or local sessions.

1324. How is that sessions formed?—It is formed of the magistrates of the county, and also of a certain number of the highest ratepayers in the barony.

1325. By whom are the ratepayers chosen?—The collector of the county cess in each barony hands in to the grand jury 100 of the names o the highest ratepayers in his collectorship, an the grand jury by the Act of Parliament are re strained to appoint a certain number of the highes of those cesspayers to sit and act with the ma gistrates, and be associated with them in th duties of the sessions afterwards. The number vary according to the size of the different baro nies. There are some baronies in which five ar to act; that is a small number, and where th barony is large there are 12. In that case th grand jury appoint 24, and those 24 are th highest cesspayers in that barony; but in doin so there is a restriction that they must cut out o the list those who sat and acted at the last pre vious sessions, for they are not to sit and ac at the subsequent sessions.

1326. I presume that they must also strike ou the magistrates, clergymen, or any persons in terested in public works?—Yes, any county officers or stipendiary magistrates, or paid magis trates, cannot act.

1327. Then the sessions consists of the local ma gistrates and of the resident highest cesspayers —The magistrates of the neighbourhood sit, th cesspayers must be resident in the barony.

1328. So that they have double interest in th matter, that is to say, as farmers they have a interest in having the roads in good condition for access to market, and as they have to pa rates they have an interest in getting the wor done as economically as possible?—Of cours they have, and they watch it very closely.

1329. I suppose that you are at the session yourself to give professional assistance?—I alway attend.

1330. What is the next step after the present ment sessions has approved of the work?—Le us suppose that the business is all gone over, an dealt with and modified, if necessary. The ap plication sometimes is for repairing 200 or 30 perches of road between certain cross roads an another point; at the meeting, on discussion an deliberation, if it is considered that 100 perche might be enough, they take my advice abou it, and when that is decided upon, and all th cases upon the whole of the list before the session have been gone over, they adjourn to some othe day for the purpose of taking proposals for th execution of those works which they approve of.

1331. I suppose that their decision is final, a far as regards further steps; that is to say, tha if they decide that the work is not necessary, i drops?—Yes, they state in that case that the ap plication is disapproved.

1332. At the next session, which is for re ceiving tenders, every work is open to a tende for the execution of it, I suppose?—Yes.

1333. And the lowest tender is accepted, pro vided the securities are approved of?—They ad journ to some day, not more than 30 days distan from the date at which they sit; and in the mea time I reduce to writing, by specification, the detail of each particular presentment before them, an that is left with the secretary of the Grand Jur at his office, for public inspection. The tender are taken at the meeting 30 days after, sealed up The tenders are opened by the chairman, an then whoever has sent in the lowest tender fo that particular work must get it, provided hi security is satisfactory to the magistrates.

1334. *Chairman.*] They are bound to take th lowest tender, are they?—Yes, they are boun to take the lowest tender unless the magistrate ar

re of opinion that it has been put in for some fraudulent purpose, which could be done.

1335. Colonel *French.*] It then comes, as a matter of course, under the consideration of the Grand Jury?—Yes, at the Grand Jury meeting.

1336. And the Grand Jury have no power to approve of any work which has been disapproved of by the baronial session?—They have no power to present for any money for work, except it is approved of by the cesspayer's sessions.

1337. If they give assent to the presentment, it then goes before the judge?—Yes, if the grand jury give their assent.

1338. It goes before the judge to fiàt it?—Yes; with regard to the legality of it.

1339. The secretary of the grand jury lays it before the judge?—Yes.

1340. And any person can oppose that presentment, without cost, before the judge, with regard to the legality of the presentment?—He can appear in the judge's court; and when the presentments are being read for a particular barony, the Clerk of the Crown calls out, "Is there any objection to the presents for this barony, naming the particular barony?" and if any one in court sees grounds of objection he can stand up, and if the judge will allow him, he can address himself to the judge; but if the judge says that there is a point of law, he can employ a lawyer; but, generally, cesspayers stand up before the judge themselves.

1341. The judge decides with regard to the legality of the presentment?—Yes.

1342. And if any person questions the necessity of the presentment, he has a right to have a common jury empanelled, and have it tried?—Yes; he can traverse on merits. The Grand Jury meeting is always open to the public; and if a cesspayer who objects does not get what he considers a fair and reasonable hearing, he has the advantage of going before a judge, and he says, "I object, in the grand jury room, to that, and I request that you will give me a hearing before a jury of 12 men." The judge says, "What is your point?" and when he understands the point, if he considers it fair and reasonable, he empanels a jury, and they go into evidence just as they do at a trial.

1343. The decision of the judge with regard to the legality of the machinery, and the decision of the jury, are final with regard to the necessity of the work?—Yes; there is no appeal from either.

1344. What number of miles of road have you under your charge in the county of Roscommon?—1,500 miles.

1345. *Chairman.*] How many persons have you under you, to assist you?—Three.

1346. I believe that your own salary is 500*l.* a-year?—Yes.

1347. What is the salary of your assistants?—£. 50 a-year each. The late Act entitles them to receive 80*l.* if the Grand Jury thinks fit.

1348. Roscommon is a second class county, is it not?—It is.

1349. Taking the average of 1,500 miles for the 32 counties, would make about 50,000 miles altogether?—That would make 50,000 miles altogether in Ireland.

1350. Taking the 50,000 miles of road in Ireland, for what amount of money should you say that they are kept in repair?—500,000*l.*

1351. I believe that it is about 10*l.* per mile; for England it is about 32*l.* a mile?—Yes.

1352. The best material for the repair of the road, namely, limestone, is to be found almost everywhere in Ireland?—In general it is. In the northern counties it is not; in the centre of Ireland the limestone is general. *John Kelly, Esq.* 28 April 1864.

1353. The coast district, north, south, east, and west, have not the limestone, have they?—They have schist and soft material thrown upon the mountains, but the centre of Ireland is nearly all limestone.

1354. Colonel *French.*] The baronial roads are paid for by the baronies?—Yes.

1355. The rate is levied exclusively on the barony through which the roads run?—It is.

1356. There are roads which are generally called mail coach roads, wide and very public roads?—Leading thoroughfares.

1357. How is the support of those mail coach roads provided for?—The charge is levied, half of it on the barony through which the roads run, and half on the county at large; that is the order of the law.

1358. I believe that bridges over certain amounts are charged in the same way?—Yes; half on the barony, and half on the county at large.

1359. Never having had a turnpike road in the province of Connaught, you are not able to speak fully on the subject of the effect of the abolition of turnpikes?—No.

1360. But having been in communication with officers of your class belonging to the different counties in Ireland, are you aware that it has given the greatest possible satisfaction to the residents where turnpikes have been abolished?—So I have heard from them. In my native county of Down, there were a good many turnpikes, and there the taking of the turnpikes away has given satisfaction.

1361. Are you aware of the amount of the additional expense thrown on the counties?—It is very inconsiderable, I believe.

1362. About 1½*d.* or 1¼*d.*, is it not?—I dare say.

1363. *Chairman.*] With regard to roads made by private proprietors, suppose that any gentleman were to make a road for 10 miles or 20 miles across his own estate, has he any means of compelling the baronies to maintain the road, without the approbation of the court of cesspayers?—No.

1364. He cannot dedicate it to the public?—Yes, he can, after it is made; the cesspayers might concur in keeping it in repair afterwards; but that is a very occasional thing; it has not occurred in my county; they cannot expend a shilling of the public money without the concurrence of the cesspayers.

1365. Neither in making, nor in repairing roads?—Neither in making, nor in repairing roads.

1366. Colonel *French.*] I think, in the case of the roads made by Mr. Nimmo in the county of Galway (and elsewhere), where the Government having made the roads, threw the expense of maintaining them on the county?—Yes; those were Government roads.

1367. *Chairman.*] Are you acquainted with the great line of roads through Roscommon to Castlebar, which used to be the main road?—Yes, very well.

1368. Has any difference arisen in the traffic on that road, since the introduction of the Castlebar Railway?—Yes, very great difference.

John Kelly, Esq.

28 April 1864.

1369. Has the traffic diminished?—It has very much diminished.

1370. Has the expense of the repairs decreased?—The expense of repairs has decreased in proportion; what used to be 2*s.* 6*d.* a perch, is now 9*d.* and 8*d.* for keeping the roads in repair.

1371. You said that the cesspayers were changed half-yearly?—Yes, the grand jury meetings are held half-yearly, and the cesspayers who sat and acted with the magistrates at the last previous sessions cannot sit at the next sessions.

1372. But the magistrates go on sitting?—Yes, the magistrates go on sitting.

1373. Has not that regulation with regard to the change of the cesspayers, the effect of throwing all the real power into the hands of the magistrates?—No, I think not; at least it does not operate so, because the cesspayers over-number the magistrates very much.

1374. My question is only with regard to the practice of eliminating men when they begin to understand their business?—It does not diminish the number; it only changes them.

1375. Is it expedient to change one individual for another, as soon as he understands his business?—I think so; and for the reason that out of court people might be solicited to do certain things in court; and there is another thing tends to correcting the same abuse, that is to say, that the grand jury appoint twice the number that can sit at the sessions, and when they come into court only one-half can sit; the rest are taken out of the box by ballot, and it is not known who is to sit and have a vote when they go into Court; and that has this effect, that there is no dealing with parties outside.

1376. Does that reasoning apply to the magistrates?—I think not; I think that the magistrates are too independent.

1377. You trust the magistrates more than the cesspayers?—Surely.

1378. Colonel *Pennant.*] You have said that the cesspayers who have been on the previous Committee or Board, are discontinued the next time?—Yes.

1379. But they can sit again?—Yes; their turn would come the next time.

1380. So that it would be very possible to have a double set of those cesspayers who would go round backwards and forwards, and be continually on the jury?—Yes.

1381. You said that the list was made from the highest rated cesspayers?—From the highest.

1382. Now, if there were not the sort of recurrence just mentioned, it would be impossible to maintain that principle, of taking the highest cesspayers, because you would have to go down the list, lowering the rating as you went on?—Yes, that would be the case.

1383. Practically, the same men do sit, only they sit alternately?—Yes, they sit alternately, and they do not know who is to sit in consequence of the ballot.

1384. Do you know the number of trusts existing when the turnpike gates were abolished?—Not more than 35.

1385. Was it the case that, as compared with England, there were very few, taking into consideration the amount of miles of roads in Ireland altogether?—Very few indeed, and in very isolated places. As to some great leading roads, the road from Dublin to Galway had turnpike trusts to Athlone, which is half way. Then there would be a trust road from Dublin to Longford, but when you passed Longford you had no trust; the road was always charged on the counties or baronies.

1386. Then, in fact, the turnpike trusts which were existing at the time of the abolition, would not bear the same comparison to the number of miles of road in Ireland, that the number of trusts in England would bear to the number of miles in England?—That is so.

1387. *Chairman.*] You do not mean by isolated places distant places, do you?—I mean that turnpike trusts were scattered here and there.

1388. But were not those trusts which you mentioned just now in the most populous parts of Ireland?—Yes, the Dublin and Drogheda trust from Dublin, was on the leading road to Belfast.

1389. Where there was the most traffic?—Where there was the most traffic.

1390. You say that there the abolition of the tolls has given satisfaction?—I believe it has, but, no turnpike trust being in my county, I cannot speak distinctly.

1391. Colonel *Pennant.*] As to the amount which the 50,000 miles of road would cost in repairs, that would depend very much upon the traffic of those roads, would it not?—Yes.

1392. There would not be any criterion in the cost of 50,000 miles of roads in Ireland, as compared with the cost of 50,000 miles in England unless you knew the relative amount of traffic?—Just so.

1393. You described the Act of William the Fourth, and the process under which those baronial sessions are held, but it was the case, I believe, before that Act of William the Fourth that you had a county system of presentment to roads?—Always as long as they have been under the charge of the Grand Jury, which is, perhaps a century: but there was no system up to the year 1834 like what there is now.

1394. But previously there had been a system of county presentment to roads?—Yes.

1395. Was that very much, with the exception of the publicity, the same description of form that baronies, on presentment to the grand jury, now adopt for the improvement or creation of new roads?—The chargeability was on the baronies and, I believe, the counties, in the same way as now; but the same publicity was not given.

1396. There was very great dissatisfaction with regard to that, was there not?—Yes, very great dissatisfaction; because, if anything is done without the public seeing what is going on, it always creates dissatisfaction. The grand jury made their presentments in a close room up to the year 1834, when the change was made to publicity and that silenced a great deal of remark, because it was found that things were not so bad as they had been represented to be previously to that period.

1397. I believe that in Ireland you have never had the parochial system as it has existed in England?—No.

1398. The cess takes the place of the rate in England?—Yes; the county cess in Ireland is the county rate in England.

1399. Have you in Ireland anything at all corresponding with the amount of minerals, or the value of manufactures that we have in England?—No.

1400. Is there any difference in your county rate, with regard to the rating of minerals?—The minerals are not rated at all; they are too unproductive

productive for that, and can scarcely sustain themselves.

1401. With regard to manufactures, how is the rate levied on them?—There was a general valuation of Ireland under Government direction, and the houses were all valued according to the amounts expended on those buildings, and according to the deductions necessary for wear and tear, the sum is fixed for the value of the house and machinery, and then it is by a poundage upon that, that the applotments are charged.

1402. But you have not the amount of mineral works going on in Ireland that we have in England?—No.

1403. You know that many of those mineral works in England are not rated?—I did not know that.

1404. In England, they would not pay that county cess?—I was not aware of that; the only manufactures in Ireland are oat mills and the like, and they are not rated for more than the value of the house in which the machinery stands.

1405. Mr. *Walter.*] Are there any classes of roads in Ireland besides baronial roads, and the "leading thoroughfares" to which you have referred?—There are what they call bye-roads.

1406. How are they maintained?—The cost is charged on the barony, in the same way as the baronial roads.

1407. Are all those classes of roads included in the 1,500 miles in your county?—Yes.

1408. And you are responsible for the superintendence of the whole?—Yes, I am responsible for the superintendence of the whole.

1409. Is there any difference in the legal machinery for determining the amount to be laid out on those different classes of roads?—No, there is no legal distinction between any one road and any other road, they must all come through the sessions, and there be rated on the barony; but some cost 3*d.* a perch, some 1*s.* 6*d.* a perch, and some 2*s.* a perch.

1410. And they are kept in different order according to the amount of traffic, I suppose?—Whatever the cesspayers consider proper to be done at the sessions, that is what I am directed to do; if I am directed to make up a little bye-road in very good order, I specify accordingly; but if they economise very much, as they generally do, they do not go to the expense of putting those little accommodation roads in very good order, but make them passable.

1411. What is your own opinion with regard to the ultimate economy of keeping a road in first-rate order, or only in passable order?—My opinion is that a great leading thoroughfare cannot be too well kept, and that a first-class condition is the best and most economical. But with regard to bye-roads, I would not be disposed to put them into that condition.

1412. There is the wear and tear of the weather as well as the wear and tear of the traffic, is there not?—Yes; in mountain districts the rush of the torrents and rains sweeps away bad material, but I never put on bad material myself; that is always false economy.

1413. *Chairman.*] I suppose that the vehicles which use those bye-roads are very light?—No, they are the heaviest; sometimes a farmer will live two miles in a deep country, and there is nobody goes there except one or two other farmholders, and they will have the heaviest loaded carts.

1414. It is generally carts; there are no wagons?—Just so, but their wheels are very narrow; there is no limit to the breadth of the wheels, and the carts, though lighter in consequence of not having broad wheels, are detrimental to our roads.

1415. Sir *William Jolliffe.*] In what year was the Act passed for the Abolition of the Turnpike Trusts?—It was brought into operation in the year 1857.

1416. Then suppose the roads become managed exactly in the same way as the rest of the roads in Ireland; no alteration was made in the general law, and those roads reverted with all the rest of the roads to be kept on one uniform system under the Act of Will. 4.?—Exactly so; there is now only one uniform system for all classes of roads.

1417. And that system was in existence before the abolition of the turnpikes?—Yes, for more than 20 years.

1418. I think you stated that you have 1,500 miles of road under your care; can you give us the average of the repairs of that 1,500 miles?—It is generally by the perch that we go,—16½ feet, the same as the English perch; I think that 7¼*d.* per perch was the last average that we made two or three years ago, which would be diminished now in consequence of the railways; the great leading roads that were kept at a high price are now lessening, so that the average might now be under that.

1419. Do you give an estimate to the grand jury of what you require every year?—No; the applicants at the sessions put in their application for what number of perches they require, and they lay it before the meeting; it then becomes my duty to see what quantity of materials they require, and then to specify the mode by which that particular road mentioned in the paper shall be kept, and for what length of time; sometimes the grand jury give a contract for a number of years, and sometimes only for one year.

1420. And they grant you then what you require?—There is a tender taken for a certain specific sum. Two or three persons reading a paper will tender for it, and the smallest tender is taken, provided the security satisfies the court.

1421. So that the grand jury are not aware of what may be the actual expense of those roads during the year that is to come?—No; they have no previous knowledge.

1422. That depends on the arrangement which you are able to make with the persons who undertake the repairs that are required, and there is a meeting held, at which those tenders are considered?—Yes; those tenders are all put together in a book, and I report upon them, whether the charge is increasing or decreasing, or whether the prices are reasonable; and I give all information of that class.

1423. When is that account sent in upon which the cess is levied?—The way in which it is done is this: the grand jury have those presentments one by one written on sheets of paper, and what they approve of is signed by the foreman; that goes to the judge, and the clerk of the peace makes a return of all that to the county treasurer. Then the county treasurer's duty is to add those sums all together, and to take up the valuation of the barony, and he applots the rate per pound, or per 100*l.*, the amount will come to on the barony.

1424. That is for the work done within that barony?—Precisely so; on the work to be done within

John Kelly, Esq.

28 April 1864.

within that barony, and the money is provided by those presentments to pay the contractor when he does his work. The presentment is made in anticipation; there is no general fund out of which the money can be paid in rotation. Each individual contractor is paid each individual sum that is presented for that particular purpose.

1425. Mr. *Wrightson.*] What is your rule with regard to the width that you require should be installed in the road?—The rule of that is the extent of the road. Now, in the great road from Athlone to Castlebar, the roads were 32 feet wide and 24 feet with broken stone; but latterly the trade has been diminishing, and I am diminishing the edging because the edgings grow grass, and the road contractor found great trouble in keeping it clear, and the result now is that I am trying, instead of 24, to reduce it to 18 feet, and the road is more nicely kept in consequence.

1426. What is the narrowest width?—Sixteen feet is the width between the fences; that is the narrowest which the Act will allow us to have.

1427. Up to what number of feet do you go?—Up to 32 feet from 16 feet, the narrowest, which will let two cars fairly pass, and then we can have 9 or 10 feet of stones; but you must have 16 feet clear for the passing of the cars, only you are not limited by the Act with regard to what number of feet of stones you put on.

1428-9. Colonel *Gilpin.*] What is the average expense of the repairs of the roads in your district?—The average expense would be about 9*l.* per mile; that is, taking the whole county.

1430. Under whose immediate control are you?—Under the control of the grand jury.

1431. Solely under their control?—Solely under their control. We are under the control of the Government besides, from whom the appointments come.

1432. How often are your accounts audited?—I keep no accounts. That is the beauty of our system, that we have no accounts to keep. The treasurer of the county keeps the county's accounts; but the engineer has nothing to do with monetary matters. I have no bills and I have no charges.

1433. How are the bills paid?—The bills are paid by the treasurer.

1434. Under your direction?—I must certify with regard to the bills. My certificate does not go to the amount of money; my certificate is that the contractor in this particular number or case has executed his work according to the terms of his contract within the period stipulated.

1435. By whom is the contract made?—By the Grand Jury.

1436. Is it made under your advice?—With my advice and assistance. They are not bound to do as I advise.

1437. Who hires the actual men employed on the road?—The contractor.

1438. Everything is done by contract?—Everything in the county system is done by contract; there is no day labour. When the Court has agreed that a road shall be repaired there is an advertisement sent out to take tenders, and then a contractor comes in and says, "I will do it for so much." When that is agreed to the Grand Jury present a sum of money to be levied on the county and to be placed in the hands of the treasurer, which lies there until the county surveyor certifies under his hand that the work is done according to contract; his certificate is then submitted to the sessions, in which the cess-payers and magistrates are, and of course, if the surveyor certifies wrongly they know it at once. They approve on the back of the paper, and the paper goes then again up to the assizes, and then the Grand Jury have to approve of it also.

1438*. With regard to the width of the road, you say that 32 feet is the maximum width by Act of Parliament?—I do not know that there is any stipulation, but 32 feet is the widest in our country; it is the general breadth from Dublin out. In a large city there might be 40 feet, but 32 feet is the width for the traffic out in the country.

1439. With regard to the 16 feet that you have spoken of; do you mean 16 feet merely of hard material?—No; I mean 16 feet from fence to fence; we are bound by Act of Parliament not to present the road when it is less than 16 feet.

1440. Is the whole of that 16 feet hard material?—No; you can limit a portion of it to anything the Court of Sessions think right; for the entire breadth, or they can make it nine feet.

1441. But that must be a road very seldom used, for unless it is backed up, you must have sloughs in the winter, must you not?—No; we generally have the edges from the broken stones to the fences level with grass, so that two cars might pass conveniently.

1442. Sometimes it is reduced to nine feet, you say?—In mere villages, where poor people are living; but they are mere horse ways then.

1443. *Chairman.*] I believe that your calculations are made in English miles?—Yes; all in English miles.

1444. With respect to nine feet not being sufficient, it is better to have the remainder in pasture, than to have two hedges, is it not?—Yes; we must have that clear of the hedges, and practice shows that nine feet is enough, because these little roads might be mountain passes, where people have small holdings.

1445. The roads which you speak of are analogous to the smallest bridle ways in England, I suppose?—Yes.

1446. Mr. *Western.*] The English and Irish miles are different, but your calculation of the repairs of the roads is according to the English system?—Yes, according to the English system.

1447. What do you say is the average cost per mile in your county for repairs, because, of course, the materials for the repairs must depend on the state of the roads in different parts?—The average is, taking the large and small roads together, some of those pay 2*s.* a perch, and some 6*d.* a perch; some a still smaller sum. 6*d.* a perch is 8*l.* a mile; 2*s.* a perch would be 32*l.* a mile.

1448. *Chairman.*] I find in a paper before me it is stated as 1*s.* 6*d.* for half a year?—Yes; that might be, perhaps, near a town.

1449. Mr. *Western.*] The average cost per mile for level roads in England, is 33*l.*, and in Ireland it is 32*l.* in your part?—That 32*l.* would only apply to the very highest cases; the average is 10*l.* a mile.

1450. Colonel *Pennant.*] Have you good material?—In some places we have very good material in some places we have not.

1451. Is it handy?—In general the material is very easily got at in my county.

1452. But if you had to bring good materia from a great distance that would increase the expense

expense, would it not?—It would very much increase the expense.

1453. *Chairman.*] Roscommon is in the centre of Ireland, is it not?—Yes.

1454. And you have blue limestone there?—Yes.

1455. I suppose that you cannot speak to the counties on the coast?—I have travelled through them.

1456. What difference does the want of that material make where they have not the limestone?—The material in Mayo is cheaper because labour is cheaper; the breaking of stones is a material item in the cost, and where you get a superabundant population of poor people you get it done cheaper.

1457. Colonel *Pennant.*] In Mayo your material is whinstone, is it not?—Some of it; and some of it is a micaceous sandstone, which goes to pieces with frost.

1458. Mr. *Western.*] I understand you to say that you generally give advice to the Grand Jury, with regard to what contract they shall accept?—Yes.

1459. And that they generally adopt your advice?—Yes, unless they see grounds to the contrary.

1460. I also understood you to say that the abolition of turnpikes in Ireland has given general satisfaction?—I think so.

1461. *Chairman.*] I see the name of John Kelly put down in the paper before me as a contractor?—That is not my name; in the county where I live there are 50 John Kellys; the judges have sometimes made that remark in passing the presentments.

1462. You have no contract?—No; I am restricted by law from interfering in any contract.

1463. Mr. *Western.*] The county surveyor's duties are the same in Ireland as they are in England, are they not?—No, I think not; I think that the duties do not altogether correspond.

1464. Sir *William Jolliffe.*] Suppose that there is any prison to be built on any contract to be made for any county work, does not that go through your hands?—I always do all the work of the county of every class.

1465. And in addition to all that you maintain the whole of the roads?—Yes.

1466. The maintenance of those roads is let by small contracts, as I understand?—Generally by very numerous and very small contracts; we find that generally the better way in the country; large contracts seldom turn out well. *John Kelly, Esq.* 28 April 1864.

1467. Mr. *Western.*] Have you three assistants at a salary of 50 *l.* each?—Yes, I have three.

1468. *Chairman.*] Does that salary include all other work as well as that of the roads?—Yes.

1469. Sir *William Jolliffe.*] By whom are they appointed?—By me.

1470. And you are appointed by the Government?—Yes.

1471. Mr. *Western.*] The asistants' duties are to do whatever you direct them to do?—Yes.

1472. In the shape of buildings, roads or bridges?—No, they are not competent to do anything in the way of buildings; they are merely surface stewards. They are incompetent to draw plans or anything of that kind.

1473. Colonel *French.*] There is no expense in the Irish system in any case, and no necessity of obtaining an Act of Parliament?—No.

1474. The judges and juries are all in attendance on the criminal business of the country, and, therefore, there is no expense in bringing them there?—None at all; if there is any dissatisfaction, the judge is in the next court, and he can be appealed to at once.

1475. Immediately?—Immediately.

1476. The Grand Juries have to approve or disapprove the presentments, and they have the help of the experience of all the chief resident gentry as well as of the public at large in open court?—Yes, the court is quite open to anyone.

1477. Mr. *Wrightson.*] Are the county surveyors paid by the Government or by the counties?—The county surveyors are paid by the counties—the appointment is made by the Government, and an officer is sent down to each county, but his salary is charged to the county.

1478. Colonel *French.*] I believe that no person can be appointed as county surveyor without qualifying himself in examination before the Board of Works?—No; a Government engineer examines the surveyors.

1479. *Chairman.*] Is there anything further on which you would wish to give information upon to the Committee?—No.

James Watkins, Esq., called in, and Examined.

1480. *Chairman.*] What are you?—I am a solicitor. *J. Watkins, Esq.*

1481. Where do you reside?—At Bolton, in Lancashire. I am clerk to three turnpike trusts.

1482. With regard to the system of collecting tolls, are you satisfied with it with respect to economy, for instance?—I think that it answers with us, because we let our tolls.

1483. What are your three trusts?—One is the Bolton and Saint Helen's trust.

1484. Can you give us any idea of the cost of collecting the tolls on that trust?—I do not think I can, because we do not inquire from the lessee what the expense of collection is. We let the tolls once a-year, and the tolls may turn out well or ill for him.

1485. Which is the second trust?—The second is at Radcliffe, about five miles from Bolton.

1486. And the third?—The third is the Bolton and Westhoughton. The tolls are let in all three. We have had one instance only in the Bolton and St. Helen's Road, in which the tolls were in the trustees' hands; they took them for an experiment in 1856.

1487. What was the expense of collection then?—I know that in that instance the profits were very considerably less than the sum for which they have been let either before or since.

1488. Is the bidding perfectly fair in the letting?—Yes, perfectly fair.

1489. Are you aware of any knocking out, or how do you prevent knocking out?—It is very difficult to prevent that; all we can do is to have a fair open letting by advertisement. The tolls are put up in the usual way, and the highest bid is taken, no matter who it is from, provided the bidder is prepared with securities. It is true the same taker has taken the tolls on all those three roads for many years, but then he is a very well-known lessee, and he takes the tolls all over Lancashire.

J. Watkins, Esq.

28 April 1864.

Lancashire. He is a man of great wealth and standing.

1490. Colonel *Gilpin.*] I understand you to say, that you let the tolls for more than the tolls yielded when they were in your own hands?—On this road we did.

1491. What is the debt upon your Bolton and St. Helen's Trust?—The present debt is 6,284 *l.*; we are in Parliament now.

1492. *Chairman.*] What is the debt on the second road you mentioned;—The present debt on the Radcliffe road is 2,700 *l.*

1493. Colonel *Gilpin.*] What is the debt on the other trust?—The debt on the Bolton and Westhoughton is 1,470 *l.*

1494. *Chairman.*] What course do you propose to take with regard to the payment of those debts?—In the case of the Bolton and St. Helen's roads, we have paid off about 1,200 *l.* since 1860, and we can pay that debt off within the time which the Act of Parliament has given.

1495. Within the 21 years?—Within 21 years from the year 1860.

1496. You propose to pay the debt off in that time?—We do.

1497. Will you kindly proceed to the other trusts?—On the Radcliffe road our Act will expire in 1867, and we shall have no difficulty in paying that debt off, at all events within three or four years after that time, either under a new Act, or under another continuance Act.

1498. Now, with regard to the next?—The next is the Bolton and Westhoughton Trust. The Act will expire in about 1873, and I do not think that we shall be able to repay our debt off within that time, because the tolls are not very large, but we propose to pay it off in the usual way either by a new Act or under the Continuance Act; we do pay something off every year. The interest is 5 per cent. on the Bolton, Westhoughton, and the Radcliffe Trusts, and 4 per cent. on the Bolton and St. Helen's Trust. There are no arrears of interest in any of the trusts.

1499. Colonel *Gilpin.*] Why are you before Parliament?—This Bolton and St. Helen's Trust is a very peculiar case. We applied to Parliament in the year 1860 for a renewal of our Act. In one of the clauses of the Act there was a proviso that no tolls should be taken, and no money laid out upon repairing the roads in any district "now or hereafter" to be formed into a district under the local Government Act. Those words "now or hereafter" were put in with an object, which was to compel a certain town called Atherton, who were intending to form themselves into a district under the Local Government Act to take the repairs of the roads through that town upon themselves, because there was a very great traffic through the town, which entered the town on one side and left it on the other, travelling over about a mile of the trust and paying no toll. Very soon after we obtained our Act of Parliament the Public Works Act was passed, and the General Highways Act had just been passed, and those two Acts together had had a most extraordinary effect on the townships in Lancashire; I was going to say three-fourths of the townships in the whole of the county; but, however, a very great proportion of the townships have adopted the Local Government Act entirely with a view to evade the operation of the Highways Act, for one reason, and, for another reason, particularly in my part of the county, which is populous, to place themselves in a position to borrow money under the Public Works Manufacturing Districts Act, that Act giving great facilities to places who have adopted the Local Government Act; the consequence has been that the township of Atherton has adopted the Local Government Act and by virtue of our special clause we have been compelled to take all the turnpikes off the roads in that township, and the same thing may happen to all the other townships on the road. Consequently we have applied to Parliament, with the consent of the Home Secretary, to repeal that clause, and to place ourselves in the same position as if we had not had those words inserted. The trustees never contemplated such a thing as an entire township adopting the Local Government Act, which was passed only for small populous districts. The township of Atherton is very large, and there is only a small village in the centre of it; all the rest is agricultural.

1500. *Chairman.*] You are aware, I suppose, of the legislation of the Session before last which was intended to prevent the evasion of the Highway Act by districts making an undue use of the Local Government Act?—Yes; I am aware that districts whose population is under 3,000 cannot do it without the consent of the Secretary of State, but our district is so populous that there is no difficulty in comprising 3,000 people within a very small compass.

1501. Colonel *Gilpin.*] It is not peculiar to the large towns of Lancashire to place themselves under the Local Government Act in order to evade the Highway Act?—No, it is general; and one reason is this, that they wish for self-government. I do not think that there is any great hatred of the Highways Act, because I believe that the roads could be repaired at much less expense under the Highways Act; but there is a very great dislike on the part of the townships to place themselves under the Highways Act, because they would then lose the power of self-government which they have hitherto had.

1502. *Chairman.*] Do you think that that dislike is well-founded?—So far as regards the expense of repairing the roads, I think that the Highways Act is preferable.

1503. Colonel *Gilpin.*] Is the interest on the debt on those trusts of yours regularly paid?—Yes.

1504. What would be your opinion if those gates were thrown open with regard to the proprietors of that district taking the debt upon themselves, and the ratepayers keeping the roads in repair, would that be popular among the proprietors and owners of property?—No, I think it would not be popular. I think it would not be fair with regard to all those three roads, and I believe that my reason will apply to very many other roads besides those three in Lancashire. The townships through which the roads pass contribute a very small proportion indeed of the traffic to the bars. Taking the Radcliffe Road, for instance, there are two townships there; it is a peculiar road; it is a road with branches, and there is no direct communication from one town to another. That road was made in the year 1836, to improve the communication from one turnpike road to another. The branches are situated in the townships of Ainsworth and Radcliffe. Now the traffic through the bars on that road arises chiefly from the townships of Little Lever and Great Lever, which lie on the road towards Manchester and Rochdale, and consists of

heavy goods, coal, iron, machine-makers' carts, d so on, which pay a very heavy toll, and ich cut up the roads very much; therefore, if e turnpikes were abolished, and the repairs of e road thrown on the township, it would be st unfair, and would increase the highway te very considerably.

1505. To whom is the debt due on those trusts? It is due to various private individuals, who iginally advanced the money.

1506. For the improvement of the road?—For e improvement of the road.

1507. Mr. *Legh.*] Have you taken into conleration, with regard to paying off the debt upon ose roads, the decrease of traffic to be expected nceforth from the making of new railroads in at direction?—Yes.

1508. Do you think that the traffic will dease in the next few years on that road?—On e Bolton and St. Helen's road it will, no doubt, crease in one part of it.

1509. Have the railroads, in fact, diminished e traffic at all up to the present time?—On the adcliffe-road they have not; they have dimished it very little indeed; but on the other vo roads, the Bolton and St. Helen's, which is e highway from Bolton to Liverpool, and the olton and Westhoughton-road, which is the ighway from Bolton to Wigan, of course it is iminished.

1510. Do not the present railroads affect those oads much?—I think not very much; the Bolon and St. Helen's Road will be affected by a ne which is now being constructed.

1511. I suppose that any new line would affect e receipts very much?—In the Bolton and t. Helen's roads there is a new line just about be opened, and there is one coal proprietor lone who now carts his coals to Bolton, passing ver the public road, and he himself pays from 80*l.* to 190*l.* a year to the toll lessees, and the arts, which convey the coal from his coal yard, ay about 80*l.* a year besides, and the whole of he traffic will be lost; for he is making a siding o communicate with the new railway, and he ntends to take all his coals by railway, so that he receipts from tolls will be diminished to the xtent of about 270*l.* a year as to that source of evenue alone.

1512. *Chairman.*] And the road will be very nuch benefited by the loss of that heavy traffic?—No doubt, the road will be benefited, and there vill be less money expended on it.

1513. Mr. *Western.*] Will that new railroad un parallel to the present turnpike road?—No, ut it will afford the means of connecting Tyldesey and Bolton.

1514. Consequently the whole of the traffic nust necessarily go on that railroad?—That decription of traffic will, because the colliery proprietors will always send their traffic by railway f they can.

1515. Mr. *Legh.*] What is the expense per nile for keeping those roads in repair?—A reat deal depends on the particular district; he Bolton and St. Helen's Road extends from Bolton nearly to St. Helen's, for a distance of 8 miles, but the trust is only 11 miles.

1516. Colonel *Gilpin.*] What is the average ost over the whole trust per mile for the repairs f the road?—We are limited by Parliament to 800*l.* a year. This 800*l.* is exclusively for the epair of the road. The repair of the road from Bolton to Atherton, which is five miles in length, varies from 100*l.* to 200*l.* per mile; that is to say, in Atherton it will cost 100*l.* per mile, and as you get nearer to Bolton it increases till you get near Bolton, where it is 200*l.*, because the traffic is very much greater.

J. Watkins, Esq.

28 April 1864.

1517. Mr. *Legh.*] Is that part of the road paved or only macadamised?—Half is paved and half macadamised.

1518. Colonel *Gilpin.*] There must be an enormous traffic on that road?—Yes; but the turnpike road towards Lowton and Burtonwood is repaired at a somewhat less sum; one part is done for 60*l.* a mile.

1519. Mr. *Legh.*] Have you ever thought of any method for doing away with the turnpikes?—The only fair way, in my opinion, in case the turnpikes are abolished, would be to make a county rate, not a township rate, for the repairs of the roads. I think it would be exceedingly unfair, in Lancashire and Cheshire, to throw the expense of the repairs upon the township, because the traffic does not invariably arise out of the township. I think that there should be a county rate for the repair of the roads, and I think that the turnpikes should be allowed to continue, and the whole receipts applied to the payment of the debt until it is discharged.

1520. Do you think that there would be a great feeling of opposition excited if it was proposed to throw all the roads on the county among the rate-payers?—I think so.

1521. *Chairman.*] Are you speaking now of both the repairs of the road and the payment of the debt?—Both. I think that the present system works very well with us.

1522. Mr. *Legh.*] But if a number of those new towns spring up and take advantage of the Local Government Act will not that injure those turnpike roads?—No, I think not; except in the peculiar case which I have mentioned. The Local Government Act specially provides for roads that are turnpiked. They cannot be interfered with except with the consent of the trustees and the mortgagees, and the Local Government Board. They may agree among themselves to remove the turnpikes beyond the boundary of the Local Government Act upon certain conditions which would of course include the payment of part of the debt.

1523. Where do you get the material for the repair of those roads; do you obtain it near Bolton?—We have a good many stone quarries in the neighbourhood; there is no difficulty in getting stone or gravel.

1524. But there are parts of Lancashire where it is very difficult to obtain material; are there not?—I am not very well acquainted with Lancashire, except in this particular district.

1525. Where do you get material for the repair of this road between St. Helen's and Newton?—I am not quite certain whether it does not come from the neighbourhood between Bolton and Bury; but I really can hardly answer that question; the surveyor attends to that department, and he obtains the materials when he is instructed to repair the roads, and I know that he has no difficulty in getting them. There is a turnpike road from Bolton to Manchester, which is a very important road, indeed, because Bolton is a large town with a population of 70,000 people, and we all know what Manchester is. This road forms, I think, two turnpike trusts. The first point of it from Bolton extends along the road about three miles, and then branches off and

J. Watkins, Esq.

28 April 1864.

enters the township of Outwood. After it leaves the borough of Bolton it enters Great Lever, and goes along for a distance of a mile and a quarter. It is not a very large township, and has a very small population; but the traffic along that road is enormous, and yet there is very little of it that comes out of the township of Great Lever. It is traffic from Bolton, and through traffic to Manchester, so that it is exceedingly great. The present highway rate in Great Lever is 4 *d.* in the 1 *l.*; but if this road were thrown on the township, Lord Bradford's agent informs me (Lord Bradford being the owner of the township) that it would raise the highway rate to above 1 *s.* 4 *d.* in the 1 *l.*

1526. Colonel *Gilpin.*] How do you propose to pay the expenses of coming to Parliament; will not that increase your debt this year?—It will not increase our debt, because we cannot borrow afresh; we shall pay it out of the income of the trust. The effect will be simply to delay the payment of the debt another year. We have been paying upwards of 500 *l.* a year since the year 1860, and we have paid, I think, 1,200 *l.* of the debt off.

1527. *Chairman.*] Is there much difference between a delay in the payment of the debt and increasing it?—There is this difference, that we shall be enabled to pay our debt off, I believe, before the expiration of the term.

1528. It will delay the payment of the debt one year?—It will delay the payment of the debt one or two years.

1529. That is to say, a portion of the money which would have been available for the payment of the debt will be lost?—No doubt; but then this application to Parliament was absolutely necessary, because, if all the townships on the road had adopted the Local Government Act, we should have had no turnpikes; four or five of the townships have adopted it already.

1530. You think that it would be impossible to avoid that under the present system?—Impossible.

1531. Mr. *Western.*] You are clerk to the three trusts, are you not?—I am.

1532. Do you receive one salary for looking after all the three?—No, I receive a salary in each distinct case.

1533. You said, I think, that in the event of turnpikes being abolished, you would recommend that there should be a rate for the support of the roads, but that these turnpikes which now exist should remain for the purpose of paying the debt off?—Yes, I would recommend that the turnpikes should be continued, and the receipts applied to paying off the debt.

1534. Did you also state that the tolls are let to one person, and that that person underlets them to different collectors?—No, he puts his own collector in.

1535. But one man alone is responsible to you?—That is so.

1536. Is that, in your opinion, as good a plan as the trustees putting their own people in to look after the gates?—Decidedly; there is no doubt of it.

1537. Because in one of the counties which I am connected with, we find that we do it very much cheaper by looking after them ourselves. Do you think that in Lancashire and in your Trusts it is more profitable to do it the other way?—Yes, Mr. Greenwood, who is toll lessee, takes the tolls almost over the whole of the county, and he puts his own collectors on at t different gates. He has the greatest control o those collectors; for instance, he will do this, will go to a collector at one of the gates sudde some day, and he will turn the collector out a moment's notice, and send him to some oth gate 50 miles off, and bring the collector for th road to the gate where he has taken the first m from. Thereby he has a check upon the recei of the collectors, and they cannot swindle him.

1538. *Chairman.*] Does not that procedure his show great apprehension of being swindle --It does, no doubt. When we had the tolls our own hands in 1856 (I refer to the Bolton a St. Helen's-road), we were swindled to a gre extent: 1,640 *l.* 14 *s.* 9*d.* was what we to ourselves, but the tolls have been let for 1,83 The trustees cannot have that control over t collectors that Mr. Greenwood has, becaus though they could look after the men on the san road by passing the collectors from one gate another, that would not do, because the collecto might communicate with each other.

1539. Mr. *Western.*] But does not Mr. Gree wood, in making the bargain with the trustee consider that it is just possible that he may b defrauded, and take that into account in the pric which he offers?—I think that he offers a fu sum, because the trustees always take measur to ascertain what the real value of the toll is, an they have a pretty good idea whether the offer a good one or not. I believe that Mr. Gree wood is not swindled now, except, perhaps, to very small extent; and I really think that h gives a fair value for the tolls, allowing himself little profit. In fact, Mr. Holden, who is on of his partners, is going to give evidence on th St. Helen's Bill, to show what some of the gat on the road have made, and he has shown me th difference between the sum which he has give for the tolls, and the sum which he has actuall received at the gates on this road; it amoun to about 100 *l.*, which is a very small profit. Th tolls let for 1,833 *l.*

1540. In those trusts, do you hold your mee ings quarterly?—The ordinary meetings are he quarterly; of course, we have special meetin occasionally.

1541. You think you have greater power supervision by holding those meetings quarterly —We think that that is sufficient.

1542. What do the salaries of the officers co nected with the trusts amount to?—In the Bo ton and St. Helen's-road, the salary of the su veyor is 80 *l.*; he gives his whole time to th duty. The length of the trust is 11 miles, b there is an interval between the extreme ends the trust of three or four miles; he has to trav a distance of 15 or 16 miles, from one end to th other. The clerk's salary is 20 *l.* The treasur has nothing, for we have a bank.

1543. What are the salaries on the Radcli Trust?—The entire length of the trust is s miles. The clerk's salary is 31 *l.* 10 *s.*, and th surveyor's salary is 52 *l.* The trust is a ver prosperous one. The trustees have expende within the last seven years 2,058 *l.* in improvi the roads, because they considered that it w desirable to do so.

1544. Now the Bolton and West-houghto Road?—That is rather under five miles in lengt but it is over four miles.

1545. What are the salaries there?—Th clerk's salary is 20 *l.*

1546. Wh

546. What is the surveyor's salary?—Until y recently the surveyor was paid 1*l.* a week, then he had to work on the road.

547. What is his salary now?—It is 20*l.* ear for the present surveyor.

548. Whose business is it to look after the veyor?—In this trust there is a general com- ttee of trustees appointed to look after the d. Whenever there is any paving required, trustees, or three of them, personally go and k after it, and it is let by piecework and not daywork. The trustees are chiefly farmers d well-to-do yeomen.

1549. Are the trustees perfectly well satisfied h the way in which the roads are managed in se three trusts?—They are perfectly satisfied. the Bolton and St. Helen's-road the trustees e generally gentlemen of standing, justices of e peace, &c. There are a great many superior omen in Lancashire, who are worth 100*l.* a ar freehold property, and they qualify and ake good trustees for the public interest.

1550. You have magistrates, I suppose, who e *ex officio* trustees?—Yes, they very often tend.

1551. In fact, you have a combination of untry gentlemen and farmers?—Yes, and the stem works very well indeed.

1552. Mr. *Walter.*] How many toll bars are ere in the three trusts individually?—With re- rd to the Bolton and St. Helen's-road I can rdly say. We are in Parliament for the pur- se of obtaining powers to put a gate back gain; but last year there were five main gates d several side gates.

1553. Will you be kind enough to enumerate l those gates that require men to look after em?—There are five main gates; the side gates e placed close by them generally, so that one ouse does for both.

1554. In the Radcliffe Trust, how many gates e there?—There are five main gates on the adcliffe-road, but several of them clear the hers.

1555. How many are there on the West- oughton-road?—One gate only.

1556. Colonel *Pennant.*] How many tolls are ere?—There are three tolls a day, but they ee each other; you do not pay at every gate; n the Bolton and St. Helen's you only pay three lls. The township of Newton obtained a pri- ate improvement Act, and took the whole of the ad upon themselves, which left an interval of mething like two or three miles on our road.

1557. Mr. *Western.*] Are there any other usts which are out of debt in Lancashire?—I n not aware of any; the Moses Gate district ust is very nearly out of debt, I believe.

1558. You suggested that if the turnpike gates ere done away with, a county rate should be ade for the repair of the roads, and that the rnpike gates should stand for the purpose of aying off the debt?—Yes.

1559. But how soon do you think that the ebt in those three trusts will be paid off, sup- osing that the whole of the tolls are taken for e payment of the debt?—Take the Bolton and aint Helen's-road, first assuming that we have l the turnpikes reclaimed, that debt would be aid off in four years.*

1560. How soon would you pay off the debt on the Radcliffe Trust, supposing that the whole of the tolls were appropriated for that purpose?—I should think in two years, or rather less.

1561. Then there is the Bolton and West-houghton, how soon would you pay off the debt on that, assuming that you adopted the same principle?—In about three and a half years. But there are some of the trusts that have an enormous debt in other parts. Some of those trusts near Bolton have a debt of 22,000*l.* and the tolls produce only 1,800*l.*

1562. In Lancashire, is not the property in the towns, which causes so much of the cutting up of the roads, very often in the hands of people whose residences are in different parts of the county?—The roads are cut up by coal and machine carts, and various other descriptions of heavy traffic.

1563. But the collieries are in the possession of those gentlemen who have country residences, are they not?—It is very commonly the case, that a gentleman who resides in one part has his collieries in different parts of the county.

1564. Do you think that it is very unreasonable to ask those gentlemen, in conjunction with others, to contribute to the county rate for the purpose of keeping up the roads?—I think that it is a fairer way than making individual townships pay for the repairs of the roads through those townships, although there are townships, the traffic from which does contribute solely almost to the roads, but those are principally in the agricultural parts of Lancashire.

1565. *Chairman.*] There it would be no hardship, I suppose, to throw the repairs on the township?—It would be no hardship in that case to throw the repairs on the township.

1566. Colonel *Hussey Packe.*] What is the general feeling in Lancashire with regard to getting rid of the turnpikes?—The general public dislike the turnpikes no doubt.

1567. *Chairman.*] The turnpikes are great impediments to the traffic, are they not?—No doubt they are an impediment.

1568. Especially, I suppose, when you have a turnpike every three or four miles?—No doubt it would be very much better to be entirely without them, but the question is, how are you to get rid of your debt?

1569. Colonel *Hussey Packe.*] Are the tolls much evaded in Lancashire?—No, I do not think that they are in this district; I believe that rather than go a long round-about sort of a way for the sake of evading the toll, a person will go directly through the turnpike, but a good deal depends on the state of the highway, because, generally speaking, the highways in Lancashire are in very much worse order than the turnpike roads. How the new Highway Act will operate, I cannot tell.

1570. Mr. *Western.*] Is the new Highway Act popular in your district?—It has been partially adopted, and the magistrates at Quarter Sessions in Salford received a report from their committee, which was to the effect that they advised the adoption of the Highway Act in the Hundred of Salford, which is in the south part of Lancashire. It has not been adopted generally.

1571. *Chairman.*] You stated that Mr. Greenwood gave a fair value for the tolls?—Yes.

1572. And you said, also, that your own experience in collecting tolls was very unsatisfactory?—Yes; that means when the trustees collect the tolls instead of letting them.

1573. How do you know what the fair value is?

* I have omitted to calculate the sum necessary to be dded for interest. Including this, the debt on the Bolton nd Saint Helen's-road would be paid off in four years; adcliffe in three years; Bolton and West-houghton in ur years.

J. Watkins, Esq.

28 April 1864.

is?—The trustees take precautions, occasionally, to count the traffic; they set men to take the traffic near any particular gate for some days, or perhaps, for a week, and they find that the traffic does not vary very much from day to day, and they have formed an idea, from that result, that the sum which Mr. Greenwood gives them for the tolls is very nearly the actual receipts, allowing him a little margin for profit.

1574. Mr. *Walter.*] The traffic is local traffic, I presume?—It is not entirely local traffic.

1575. *Chairman.*] You mentioned the township of Great Lever, which belongs to Lord Bradford?—Yes.

1576. Do you know the land in that township?—Yes.

1577. What is the agricultural value of that land per acre?—I think it is about the same value as the land round about Bolton; it varies from 2 *l.* to 4 *l.* an acre.

1578. For agricultural purposes anywhere, what would the value of that land be?—I think from 2 *l.* to 3 *l.* per acre.

1579. Is that the worth of it to let?—Yes, I think that Lord Bradford gets that sum for it; it is all let.

1580. What is the nature of the soil?—The subsoil is gravel.

1581. And you think that it is worth 2 *l.* or 3 *l.* an acre?—I believe it is.

1582. That would be about 70 *l.* or 80 *l.*, or 100 *l.* per acre to sell, I suppose?—It may be let for building purposes; it is so near Bolton that the value is very considerably improved.

1583. It is a great deal higher in value, I presume, in consequence of the neighbourhood of those towns?—Yes, and as the building extends out of Bolton, the land increases in value, till, in fact, you could let it at so much a yard.

1584. Should not that increasing rate be set against the hardship of keeping the road in repair; when a man's property is sold by the foot, instead of by the acre, do you think that it is a hardship for him to be encumbered with the cost of the repair of the road caused by the traffic that has improved his property?—I do not think that Lord Bradford would like to have the road thrown on the township. When I say that Lord Bradford is the owner of Great Lever, I mean to say that he is the owner of the greater part of it.

1585. I think you said that in Radcliffe there were six miles of road in a little over four miles in the Bolton and West-houghton, and in the Bolton and Saint Helen's 11 miles?—Yes; making altogether about 22 miles.

1586. And you also stated that the salaries paid for those trusts are 40 *l.*, 83 *l.*, and 100 *l.*?—Yes.

1587. That is 223 *l.*?—About that amount.

1588. That is for salaries alone?—Yes.

1589. For 23 miles of road?—Yes.

1590. Do you consider that that is economical?—I think that a good deal depends on the district through which the road goes, because there is a good deal more supervision on a road over which there is a large traffic, than there is over a road where there is not that large amount of traffic. I know that the Highway Act has been adopted in Cheshire and some parts of Lancashire, and the way in which they are going about their work, in order to do it economically, does not answer at all. They are attempting to throw on one surveyor the management of about 80 or 90 miles of road; and I know myself in a district near Macclesfield and Prestbury Cheshire, where a highway district was for the way wardens advertised for a surveyor, t the lowest offer, and gave him 100 miles of r and it is practically impossible for a surveyo look after them.

1591. Are you aware that this Committee evidence before it of not only 100 miles, but miles, and more than that, of roads in Scotl being under the management of one surveyor A great deal depends on the nature of the tra because a surveyor, if the road is very li travelled on, has only to get on horseback ride over it as quickly as he can.

1592. But do you not think that with a puty he could do a great deal?—You are t simply multiplying the number of your survey because you must either pay a large salary, else have more surveyors.

1593. Are you aware that in Scotland th have only one surveyor for a county?—He a great many under him, perhaps.

1594. Is not it a better system to have head man, and a good many subordinat Would not that make it easier to find men fill the place?—No doubt, if you give the h surveyor a sufficient salary; but in the Macc field district they were offering a surveyor 5 a year, or less, and you cannot get an effici man for that salary; you can get a man w would be suited to take a sub-district, but no man who is capable of surveying 100 miles road for that salary; and if you pay him a la salary, and also pay subordinates, the expen will come to pretty nearly the same as paying small salary to one man in a district like this.

1595. You have said that the surveyors al are paid 230 *l.* a year for 23 miles?—Yes, would amount to that sum.

1596. If you carried that on in proporti would not that be amply sufficient to pay surveyor and his deputies for a much lar district than that road?—Those 23 miles in t case are not together or within a reasonable tance from Bolton; and if you gave all t district to one man, you could not get him to it for a less salary than 150 *l.*

1597. Do you know how many miles of r there are in the county of Lancashire?—No.

1598. You have spoken of the traffic com up with coals and heavy goods, and so on; t is the traffic of the neighbouring town, is it n —It is the traffic of the town.

1599. It goes through the town?—Yes.

1600. And you said that you thought would be unfair to throw the repair of the ro over which that traffic passes, on the tow ships or the parishes?—The case which I h instanced is the peculiar case of the r through the town of Atherton. The trust had the power to place a side bar, to have cau all this traffic, but they preferred throwing road, if possible, on the township; and when were in Parliament in 1860, before the Co mittee of which the Honourable Member, Colo Pennant, was Chairman, it was suggested to Committee that the trustees should place a s bar so as to catch the traffic, and the Commit would not allow this length of road to be exclu from the trust. Accordingly the trustees place a side bar there to catch the traffic. T bar was let to Mr. Greenwood, and it was o there for two years, and it produced about 15 a ye

a year, which shows that the traffic was very great.

1601. Colonel *Pennant.*] In speaking of the expense of those roads, the actual mileage is hardly to be taken as a criterion of the amount of supervision which is necessary, when it is compared with the same amount of mileage in a country district?—No, it is not.

1602. The superintendence required is so much greater in the neighbourhood of those large towns, and there is a larger outlay on the roads, is there not?—Yes. (*The Witness placed a map of the three roads before the Committee, and explained the difficulties which would be incurred by one surveyor having the charge of the whole district without sub-surveyors*).

1603. Supposing that a consolidation of the whole of the trusts was to take place, I suppose that the management could be carried on at a less expense?—It could be carried on at a less expense, so far as the clerk is concerned, because one clerk is quite capable of managing half-a-dozen trusts.

1604. But why is not a surveyor capable of doing the same thing?—He must have the assistance of sub-surveyors.

1605. But suppose that to be the case?—Then you would save nothing in the expense. If you have a surveyor, with sub-surveyors under him, you could offer a subordinate man less than 1*l.* a week, that is 50*l.* a year; and you would have to pay the man who superintends him a much larger salary than that, for you must have a superior man.

1606. *Chairman.*] Have you made any calculation with regard to what it would cost to have one or two surveyors for a whole county of, say, 70 or 80 miles of road, with a sub-surveyor under him?—I do not think that a sub-surveyor could take anything like 70 or 80 miles of road in Lancashire. I think 20 miles is enough.

1607. Have you ever seen the experiment tried?—No, but I am practically acquainted with the Lancashire traffic.

1608. Colonel *Pennant.*] Are there no other expenses which would be saved by the consolidation of trusts besides salaries; would not the incidental expenses be considerably diminished by consolidation?—If you consolidated a district, of course the incidental expenses would be diminished, but not very much I think, for, instead of having a meeting four times a year, you must meet oftener.

1609. Here are the advertisements, the printing, and so on?—But if you consolidated a trust, the expense of printing would be multiplied according to the number of trusts; for instance, in advertising the toll-letting, you must post a notice on each gate, and you would have to post notices all over the county.

1610. But you now have to do that for three or four separate trusts instead of one, have you not?—Yes; but we should have to post them on the gates in either case; consolidation would save a little in advertising no doubt.

1611. Supposing that the trusts were abolished, and the expense of repairing the roads was defrayed, not parochially, but was charged upon districts to be formed, do you think that the manufacturers and owners of mineral properties would pay a fair share towards the expense of the roads as compared with the owners of other real property?—I believe that they would; I think that those who use the road have no objection to pay for the use of it.

1612. But would the rateable value which would be put upon mills and mineral property bear a fair proportion to the cost of the repair of the road which the mill and mineral traffic would pass over, as compared with the contributions made by owners of land?—I can hardly answer that question, because there are a great many manufacturers who do not use the roads, because they happen to be so situated that they can use the railway; I cannot see any fairer way than to make the persons contribute to the road who use the road.

1613. Mr. *Walter.*] You said that certain townships have availed themselves of the Local Government Act in order to evade the Highway Act?—Yes.

1614. Not with a view to the more economical management of the roads, but in order to preserve the right of local self-government?—That was one of the reasons.

1615. What is the precise nature of those advantages of local self-government which those townships wish to retain, as applied to roads, unless it is economy of management?—I think it is a natural wish not to lose the power which they have hitherto had; for instance, in the appointment of parochial officers and surveyors of highways, and so on, every year; now, by forming themselves into districts under the Local Government Act, they obtain more power as it were, and then they are under a Local Government Board, not only for highways, but for sewering, paving, and lighting, and all kinds of purposes.

1616. In fact, you think it is for the sake of the keeping of those local appointments in their own hands and distributing them among their neighbours?—Keeping it in their own hands.

1617. Not for purposes of economy or purposes of public convenience?—I think that there is a great deal to be said about the public convenience in Lancashire; it is rather an extraordinary circumstance that all those townships should have adopted the Local Government Act in a very limited time, and the chief reason was the distress in Lancashire. I believe that if it had not been for the passing of the Public Works Manufacturing District Act those townships would not have adopted the Local Government Act at all; but there were so many men out of employment, and almost starving, that it became absolutely necessary to do something, and Parliament passed this Act enabling certain bodies to borrow a sum of money from the Government to expend in improvements, and that has been most universally adopted in Lancashire. Thousands of persons have had work in improving the highways, and so on, with the money which Government has lent, and, with that view, added to the evasion of coming under the operation of the Highways Act, and also with the knowledge that the townships would thereby retain their self-government, they have adopted the Local Government Act in, I believe, I said, "three-fourths" of the townships in South Lancashire.

1618. The Local Government Act enabled them to take advantage of the Act for the relief of the distress?—Yes; first of all, in the Public Works Manufacturing Districts Act there is a special clause which gives greater facilities to townships of placing themselves under the Local Government Act to borrow money than under any other governing body.

J. Watkins, Esq.
28 April 1864.

1619. Sir *William Jolliffe.*] The trusts of which you are clerk are in the immediate neighbourhood of Bolton?—Yes.

1620–1. I believe that there is a very large proportion of coal traffic on those roads?—Yes; on all the three roads, no doubt.

1622. That is the chief toll paying traffic, is it not?—I do not think that coal is the sole paying traffic; perhaps you can hardly say that it is the chief toll paying traffic, because there are the machines and bleachers' goods, and so on.

1623. Does the coal amount to one-half of the traffic?—I should hardly say that it amounted to one-half; but I think it would vary a little with the different roads.

1624. But the toll acts there as a tax on the coal, does it not?—No doubt that is so; but then the roads are cut up by that traffic.

1625. It is traffic that wears the roads very much, is it not?—It wears the roads exceedingly.

1626. *Chairman.*] A great deal of that traffic now goes on the railroads?—Yes, wherever there is an opportunity. There is a Bill coming before a Committee in No. 6 Room, called the Lancashire Union Railway; that Bill is for the purpose of making several branch lines in Lancashire for the sole purpose of the mineral traffic; and the effect of that line, if it is passed, will be to relieve a vast number of turnpike roads of the present coal traffic.

1627. And also of the tolls, I suppose?—It would reduce the tolls, no doubt.

1628. Assuming the debt to be got rid of in any way, would you still keep up the tolls for the purpose of repairing the roads?—In those townships in which the traffic does not solely arise from the townships, I should do so, unless the repair is thrown on the county.

1629. Which would you prefer, throwing the repair on the county, or keeping the toll up merely for the sake of a particular township?—I should prefer the repair being put upon the county.

1630. As between abolition of tolls, and putting the repair on the county, and the consolidation of the trusts, putting the debt out of the question for a moment, what would you say was the best?—I do not know that I am prepared exactly to answer that question without a little consideration.

1631. Colonel *Barttelot.*] You state that if the turnpike tolls were done away with you would place the whole repair of the roads on the county rate?—The repairs.

1632. And the debt?—No; I should prefer the tolls to remain until the debt was paid off.

1633. But if the tolls are done away with, what would you do with the debt?—I should not do away with the tolls until the debt was paid off. I have not considered how the debt was to be paid, because I assume that Parliament must provide for the mortgagees in some way or other. The only way in which I have thought of it is, that it would be better to keep the tolls on to pay the debt.

1634. Did I understand you to state, also, that it would be no hardship to place both the debt and the repair of the roads upon the agricultural districts?—I think I did not state so with regard to the debt, because my opinion has always been that the tolls should remain until the debt is paid off, whatever became of the repairs.

1635. With regard to the repairs, you say that it would be no hardship to place them on the agricultural districts, but that it would be a great hardship to place them on the urban townships, if I may use that expression?—I do not think that it would be a hardship to place the repairs on the agricultural districts where the traffic of each township arises exclusively from that township; that is to say, where there is no through traffic from other places cutting up the road.

1636. You see no better plan than that of keeping up the tolls, as they at present exist?—I do not. I think that you might consolidate several trusts together, and save some of the expenses (the clerk's fees, for instance), but I do not think that you could do anything in the way of reducing the surveyor's salary.

1637. Mr. *Walter.*] The consolidation of the trusts would not diminish the number of gates, I suppose?—Not at all.

1638. Therefore, the public would gain nothing, in fact?—The public would gain nothing at all.

1639. *Chairman.*] Have you any further remarks to address to the Committee?—No.

The Rev. William Peach, called in; and Examined.

Rev. *W. Peach.*

1640. *Chairman.*] You are a Clergyman residing in the neighbourhood of Chesterfield, I believe?—Yes.

1641. Having the cure of souls?—Yes.

1642. Colonel *Pennant.*] You reside in Derbyshire, do you not?—Yes.

1643. And I believe that you have taken a good deal of interest in the subject of turnpike roads?—I act as trustee on one or two or three roads, but one is turned over to the highway rates.

1644. You are aware, I presume, that this Committee is for the purpose of considering the practicability of abolishing turnpike trusts; have you any evidence to give to the Committee upon the subject, on the way in which you consider that such abolition would affect different properties in your neighbourhood?—The character of the traffic in North Derbyshire is for the most part pleasure traffic, or mineral traffic. The Committee are aware that there are show-places in Derbyshire, which occasion a good deal of pleasure traffic; it is also a fact deserving the attention of the Committee, that the parishes in North Derbyshire are very extensive. The mileage of the turnpike roads through many of them is very disproportionate to the rateable value of the hereditaments in those parishes. One of the roads on which I act as trustee, namely, that of Chesterfield and Hernston Lane Head, was made to facilitate the communication between Chesterfield and Manchester chiefly.

1645. *Chairman.*] What is the distance from Manchester at the nearest point?—Eighteen miles; it is about 42 miles from Chesterfield. The road is also very much used for pleasure traffic to Chatsworth, Bakewell, Buxton, and other places in the Peak, and of course there is a very great deal of through pleasure traffic in the summer. There is also a good deal of heavy traffic from the stone quarries

harries and ironstone mines in the part of the district at the Chesterfield end of it. Some of the al and other heavy traffic arising from those urces at present, we will suppose, may pay a nnage of, perhaps, 4 *d.* at each bar that they y at. With regard to the abolition of those lls, I am of opinion that the rateable value of ose several properties would be so inadequate a source of revenue for the maintenance of e trust, that it would hardly be worth consideration. Of one colliery in my own parish the resent rateable value is 230 *l.* I should state at I act on the assessment committee of the hesterfield Union; and we have raised that, in evising the valuation lists, to about 700 *l.* We ot a return of the get of the colliery for last ear, and the coalmaster himself returns 20,000 ons. Now, 20,000 tons, if you put upon it toll of 4 *d.* per ton (it chiefly goes through hesterfield to the Midland Railway, not being sed in the parish, except in small quantity) ou get something like 330 *l.* The rateable alue of that colliery, at 700 *l.*, will produce othing at all of that kind; and I calculate hat for the parish of Brampton, if the whole of he turnpike roads were thrown on the parish, he highway rate would be 2 *s.* in the pound. We have now 16 miles of parish highways; there re 14 ½ miles of this turnpike trust in the arish of Brampton, and three miles of another rust, making together something like 34 miles f road; and the present mileage cost of 11 miles of the trust (the Hernstone Lane Head Turnpike Trust) which is in the parish, and on which the traffic is chiefly through traffic, is 34 *l.* per mile. There are two parallel lines of that road; it is not a road that suits very much the local traffic, for these two parallel lines of road go from east to west longitudinally through the parish, with a link connecting the two; and in the parish of Brampton, which has 8,000 acres, we have not a single crossroad which is passable from north to south. (*The Witness explained the position of the Roads to the Committee on a Map*). It is very obvious that those two parallel lines of road were never made for the accommodation of the parish; we have not a road from south to north; hardly a bridle road, certainly not a carriage road. I reside in the middle of the parish, and if I want to go to the adjoining village of Barlow, which is a mile and a half off, I must go round by Chesterfield. The surveyor tells me that three-fourths of the traffic on that 11 miles of road is through traffic.

1646. Mr. *Western.*] How far have you got to go round by Chesterfield?—It is about six miles.

1647. Colonel *Pennant.*] With regard to the pleasure traffic; do you think that people who come into the country in the summer bestow an advantage on the country, which would be an equivalent at all, in any way, for the abolition of those tolls, and the substitution of the rate system?—The advantage of that traffic is felt entirely at the terminus where the people go to, and not at all on the transit. With regard to the parish of Brampton, they do not remain there; they go on to Bakewell, Buxton, and so on.

1648. Therefore, as far as their passage through the country is concerned, the country does not benefit by it?—Not at all.

1649. With regard to the minerals which you mentioned in the adjacent valley, a certain coal pit there?—Yes.

1650. But a good deal of your mineral traffic consists of iron and lead, does it not?—The lead is further up in the Peak; the ore is chiefly ironstone.

Rev. *W. Peach.* 28 April 1864.

1651. Which is not rateable?—Which is not rateable; ironstone is only rateable when it is got by open work; but our pits are all shafts worked as mines.

1652. And not rateable?—No. There is a very great deal of this heavy traffic, which passes over the Chesterfield end of the trusts; many thousand tons a year.

1653. In that case you would derive nothing from the rate, would you?—Nothing.

1654. With regard to the lead, supposing that the rates were not leviable parochially; but over any district which would be at all manageable within reasonable limits, would that include those lead works?—It would be a very large district; because you would then approach to the neighbourhood of Eyam and Matlock, and further to the west.

1655. Would a rate levied over the whole district remove your objections?—The parishes are so very extensive in the whole of that North Derbyshire district, and the mileage of turnpike roads through them is so great in proportion to their rateable value that I do not think, unless the district was very large indeed, any relief would be afforded unless it was to the parish of Brampton, which has, for its assessable value, a larger extent of turnpike road than any of the other parishes.

1656. Do you know anything about the expenses of the management of those turnpike roads?—Yes.

1657. Would the consolidation of the trusts tend to diminish the expense?—Yes. I was quite surprised at the evidence given by the gentleman from the neighbourhood of Bolton, with respect to those trusts of four or five miles, about the salaries paid to the officers. We are in Parliament now to abandon about 12 miles of road, which is used almost entirely for local traffic.

1658. There are other lines of road, in the neighbourhood of your trust, running almost parallel on the map which you have produced?—Yes; one is called the New Road, but they are all one trust.

1659. The trust is now 57 miles, is it not?—At present it is until we obtain an Act of Parliament to abandon 12 miles of it.

1660. Was there more than one trust originally?—No; I believe it has always been one trust. With regard to the heavy traffic we have a very great deal of stone traffic on that road. Now, the assessed value of a stone quarry, the Committee are aware, is trivial compared with the wear of the road from the produce of that quarry. There is another very great objection to throwing that sort of traffic, and the repairs of the roads, upon the highway rate; namely, that it will encourage the use of nothing but narrow wheels, We are able, in some degree, to encourage the use of broad wheels for heavy traffic by making the tolls lower upon them, but if the tolls are abolished of course that will never be done; people will use narrow wheels of less than three inches, and perhaps put two tons in a one horse cart. The road is now cut up very much in that part over which this traffic passes. The colliery is a newly opened colliery which has just got into full work.

1661. You think that if that restriction of the

Rev. *W. Peach.*

28 April 1864.

difference of tolls between broad and narrow wheels was removed, there would be a great outlay necessary in the repairs of the road?—Yes, I am persuaded of that; and the traffic would be much increased by the removal of the tolls.

1662. Why do you think so?—Because, if people can travel free of toll, they will drive out more.

1663. Then your answer would tend to show the Committee that the existence of the toll-gates is rather an impediment?—Yes; but the tolls provide for the repair of the roads, and if they were abolished, the whole expense arising from that increase of traffic must come out of the highway rate.

1664. But still, it is an admission that the existence of the gates is an impediment?—Yes, certainly. I have known stage coaches absolutely put down, because they could not afford to pay tolls; and I believe that we should have stage coaches again, if the tolls were abolished.

1665. *Chairman.*] What is the public feeling in your district, generally, with regard to throwing the repairs of the road on the district?—I think there is only one opinion, namely, that it would be a gross injustice. I was trustee on another road, a little further south, which is now under the highway rate; that is the Cromford and Langley Mill-road. I know one person who has some lead works in the neighbourhood of that road, though he is not in a parish through which any part of the road passes, and consequently pays nothing to the highway rate. His toll, formerly, was 130*l.* a year; and now he pays nothing. The ratepayers along that road were rather favourable, in the first instance, to the removal of the tolls, because it was a bad paying road, and there was a toll at every corner; but now they would prefer to have the tolls back again; and the roads are getting out of repair.

1666. Mr. *Alcock.*] What is the amount of the tolls upon your road?—They are now let for 2,075*l.*

1667. What is the debt on that trust?—£.4,500.

1668. What is the amount of the assessment of all the parishes through which the road goes?—I cannot say; my own parish is rated at 10,500*l.*

1669. How many miles of road have you in your parish?—We have 14½ miles of one trust, three of another, and 16 miles of highway in the parish of Brampton. The surveyor calculates that the repair of that 14½ miles would cost the parish of Brampton 500*l.* a year, not allowing anything for the increase of traffic.

1670. Are you paying off your debt?—Yes; we are paying off our debt at the rate of 400*l.* a year.

1671. What interest do you pay?—Five per cent. We have always paid the interest,

1672. And you are now going for a new Act?—Yes; we went for an extension of our Act for 21 years; but there has been an arrangement in Committee to make it 10 years.

1673. That would be enough to pay off your debt, you think?—It would depend on whether the tolls fell off or not; the present lessees are losing about 300*l.* a year.

1674. Your opinion is hostile with regard to the abolition of the tolls, with reference to your own roads?—Yes.

1675. You think that it would be unfair to throw the repairs on the parish, even if you were to throw the interest and debt on the proprietors, and the repairs on the ratepayers?—I think it would be unfair, because there is a great deal of through traffic. If the traffic were entirely parochial, I think that that objection would be done away with; but our surveyor says that three-fourths of the traffic is through traffic, and a great part of the pleasure traffic and of the heavy traffic from the stone quarries and collieries passes out of the parish to other places, which contribute nothing to the highway rate.

1676. But it is very obvious that your assessment is most unfair?—I dare say the assessment on that colliery was made before the colliery was quite developed; it was not completed until the beginning of last year.

1677. *Chairman.*] What would you put the profit of each ton of coal at?—I am not sure they are selling coal at 8*s.* a ton; I calculate at about 3*s.* 6*d.*

1678. Have you not raised the assessment lately to 700*l.*?—Yes; we took it on this principle; the return for last year was 20,000 tons we had a great many collieries to deal with, and therefore we considered what the Royalty was worth per ton on the several coals in the neighbourhood; but in this case we knew what was the rent per acre, and the thickness of the seam, and that gave about 3,000 tons to the acre; we then considered that as the get is about six acres a year, and the rent about 130*l.* per acre, 700*l.* was about the rateable value; but to ascertain the get of the coal and the Royalty value per ton is the more practicable mode of doing it.

1679. Colonel *Pennant.*] You made an assessment on the Royalty, in fact?—Yes; we think that is the fairest way of doing it; the mine itself is rateable, and then we assess also the steam power and the buildings, the tram-roads and everything of a visible nature; we took the Royalty at 7*d.* a ton, and then we took 2*d.* a ton for the steam-power and other things; it is a dry seam of coal, so that there is no pumping power and, of course, the property is worth more; I know very well that there is an objection on the part of coal masters to being assessed in that way.

1680. Mr. *Western.*] Have the colliery owners in that case had an opportunity of appealing yet?—No; we have not yet deposited our revised lists.

1681. Colonel *Pennant.*] The Royalty then is about one-tenth, I suppose?—I generally find myself, that the Royalty comes to about 6*d.* a ton on the average; that is merely the rent that comes into the lessor's hands.

1682. Mr. *Wrightson.*] This trust of yours has been before a Committee of the House of Commons this year, you say?—It has.

1683. Were you a promoter of the Bill as it came before the Committee?—Yes; I gave evidence before the Committee.

1684. The Bill, as it came before the Committee, proposed to throw upon the parishes certain number of the roads that formed part of the trust, did it not?—Yes, about 12 miles.

1685. That Committee thought it right to throw the whole on the parishes in the course of the case?—They did.

1686. Did they not give a term of 10 years for that purpose?—The limit of the term, under any circumstances, was to be 10 years, but it is further limited to the time within which the debt shall be extinguished.

1687. I

1687. In the meantime, did they not appropriate 1,100*l.* a year out of the produce of the tolls for the purpose of repairing the roads?—*l.* 1,100.

1688. So that the change you alluded to would not take place till the 10 years were expired?—It would take place immediately on the extinction of the debt according to the last clause in the Bill, which says that the trustees shall neither take tolls nor lay out money in repairs after the debt is extinguished.

1689. The object of the Committee being that the trust should cease when the debt was paid off?—Yes; and with a view to accelerate that event, the Committee directed that the rate of interest should be reduced from 5 to 3 per cent., and limited the amount to be applied in repairs.

1690. Mr. *Sclater-Booth.*] Do I understand you to say that, independently of any recommendation which this Committee might make, the turnpike tolls on your trust will come to an end under the Bill which is now before the Committee?—If the Act passes.

1691. But without that Act, what would happen?—If that Act was not passed, I suppose that the trust would be extinguished on the 1st of October 1865, and there would be 4,500*l.* of the debt remaining; but we were forced to come to Parliament, because two-thirds of the mortgagees would not consent to the reduction of the interest.

1692. But they could hardly help themselves if the Act was not to pass, could they?—No; the chief dissentient was the Duke of Devonshire, who has more than half the debt, and I believe that his Grace took a good deal of pains to inquire into the circumstances of the road, and expressed his opinion that the trust ought to be renewed, caring, of course, little about the reduction of the interest; so that it left the trustees no alternative.

1693. But, at all events, I understand you to say this, that whatever may be the proposals of this Committee, or whatever may be the action of Parliament, under any circumstances you have reason to expect that your parish will actually have to submit to this injustice, as you deem it, by the operation of the law as it stands?—If we are refused a renewal of the Act, it will be so, but we have no reason to anticipate that.

1694. Do you expect, then, that at the end of 10 years you will go on for an indefinite period under the Continuance Act?—No, because there is an express provision that as soon as the debt is paid off the trust shall cease; it is only putting off the evil day.

1695. Mr. *Fenwick.*] What is the date of your last Act?—Not less than 60 years ago, I should think.

1696. Was the trust originally established to make a new road, or to repair an existing parish road, or a series of parish roads?—It is so far back that the original Act is in black letter; but no doubt there were certain old portions of the highway that were brought into the line of the road, and improved and widened.

1697. Which roads would be repairable by the parish?—That was only one road. The second road (which was made within my memory) was entirely a new road.

1698. So far as regards those portions of the road which were originally parish roads, they would be repairable by the parish?—Yes.

1699. By the operation of the common law?—Yes.

1700. So that the effect of the trust for the last 60 years has been to relieve the parish from their common-law liability?—From a certain portion of it, because the portion of the road which was constructed under the Act was two-thirds of the length.

1701. The mines themselves that you spoke of belong, I suppose, to the owners of the land in which they are situated?—Yes.

1702. So that the operation of the disadvantage of which you spoke, with regard to the coal mines, amounts to this, that, although the coal mine belongs to a person who would have to pay less in rates than he now pays in tolls, yet the landlord would pay more on his land?—He would pay more highway rate on his land; the parish at large would be very much more burthened with the highway rate. I think it would be at least 2*s.* in the pound.

1703. Would not the hardship really amount to this, that the landowner, instead of paying toll on the coal, would pay it on his land?—He would pay on his colliery too.

1704. But not so much as would repair the road?—Not so much as would repair the road; but then it might happen that the coal master would not own much property in the parish, and that small colliery would work out in five or six years.

1705. Then the injustice will cease, will it not?—So far as the wear and tear from that colliery goes it will cease, unless other mines are opened in the parish.

1706. The coal is the property of the owner of the land?—A great deal of the land is moor land, and of very little value, and this colliery is in a portion of the land measuring not above 50 acres, and the owner has nothing else in the parish.

1707. You think that the hardship you spoke of would be increased by the traffic being increased on the road?—Not very much increased, but it would be increased, no doubt.

1708. It would be increased by the trade of the district being developed?—Yes; and there would be more pleasure traffic. I do not know with regard to the development of trade, because if people have to pay a toll, it does not prevent the development of trade generally speaking, unless the toll is very burdensome indeed.

1709. Mr. *Legh.*] By the doing away of the turnpikes, the get of coals would not be affected, I suppose? or would they get more coal in that case?—No, I do not suppose that they would.

1710. The pleasure traffic is the summer traffic, is it not?—Chiefly.

1711. And I suppose that that traffic does comparatively small damage to what the heavy coal traffic does in the winter?—Just so; but we have ironstone also.

1712. That would not be affected by taking away the turnpikes, would it?—It would rather increase that traffic than diminish it, but that would be entirely unproductive, because iron mines are not rateable, and there are the stone quarries also.

1713. Mr. *Fenwick.*] Stone quarries are rateable, are they not?—Yes; but the rateable value of the stone quarries is nothing compared to the cost of the repairs of the road that they make necessary. We generally rate a stone quarry at

Rev. *W. Peach.*

28 April 1864.

so much per man, according to the number of men employed on it; about 10*l.* a man.

1714. Mr. *Western.*] Not the quantity of stone taken out?—No; that varies so very much.

1715. *Chairman.*] What is this stone which you have alluded to?—Building stone and paving stone, and slate, but it chiefly goes to the Midland Railway.

1716. Do you think that but for the pleasure traffic and minerals, you think it would be better to remove the tolls?—No, I do not say so.

1717. Assuming the traffic to be entirely local, do you think that it would be better to remove the tolls?—I think that it would be fair then to throw the whole of the expense on the highway rates.

1718. Now, with regard to narrow wheels and broad wheels, what do you believe is the cause of the resort to narrow wheels?—I imagine that the cause is, that they can put a heavier load upon one than upon the other, *i. e.*, with the same horse power.

1719. This Committee have before them the Report of the Select Committee on Turnpike Trusts and Tolls in 1836, in which General Burgoyne, a very high authority, says, "Whether turnpikes are abolished or not, it would be very desirable to sweep away a mass of impolitic and vexatious restrictions that are laid upon the traffic in many parts. One of these is, the provision for the width of the tires of wheels which has led, for purposes of evading the extra tolls to the most injudicious constructions as regards mechanical contrivance, and to the great injury of the roads they were means to protect. The construction of wheels should be free from any restrictions, and what would be best for the carriage would, no doubt, in a perfect road, be best for the road, or, at least, do no injury at all to compensate for such vexatious regulations." Are you of opinion that that remark of General Burgoyne's is correct?—The ground of my opinion is this, that if you have a cylindrical wheel of six inches broad or more, it does not do half the injury to the road that a three-inch wheel does, because it in fact consolidates the road. Carts with broad wheels are more expensive to construct, and they take more drawing.

1720. Mr. *Fenwick.*] The broad wheel is worse for the horse, is it not?—Yes, there is more friction.

1721. Colonel *Pennant.*] You were asked a question about the minerals in your district, is it not the case, that although in great part of Derbyshire it may not be so, yet, in your particular district, the minerals do not belong to the owners of the soil, but belong to the Crown; I mean the lead works, and so on?—I do not know that they belong to the Crown; I know that there is a considerable district in North Derbyshire where any one who finds a vein may follow it.

1722. And work it?—Yes; very much to the detriment of the surface owner.

1723. In that case, the worker of the minerals, who receives the benefit of the abolition of the tolls, would not be owner of the soil; the adjoining landlord would not be benefited, would he?—No; but that might rather encourage the working of mines in other peoples' grounds.

1724. In fact, the right of working the mines is not, in many places, in the hands of the owners of the soil?—No.

1725. Mr. *Western.*] What are the official expenses on your trust?—£. 130 a year. The clerk receives 30*l.*, and the surveyor 100*l.*

1726. That is for the 57 miles of road?—Fifty-seven miles at present.

1727. Do you let your tolls?—Yes.

1728. Have you quarterly meetings?—Yes.

1729. If the trustees took a portion of the road to look after themselves, they would do it for half the sum that it is done at now, would they not?—I have known the roads to be taken in hand twice, and we lost considerably by it each time. In such cases, the trustees have to look out for a fresh staff of servants.

1730. Then you think that there is a great deal of fraud?—No; but if the trustees took it in hand, there might be more peculation than there is in the case of a renter who has a large staff of servants ready to place anywhere. The person who rented those roads for a considerable time, Mr. Bower of Leeds, has a large staff of servants for the bars; and if the trustees of any particular road took them out of his hands, he would not allow any of his servants to take the tolls.

1731. You pay your surveyor 100*l.* for the 57 miles; is not that very high?—I should not have thought so.

1732. You think that it would be very unjust, if the turnpikes were done away with, to institute a highway rate?—On the parishes it would.

1733. But do you think that a county rate would be unreasonable?—It would certainly modify the case when extended over the whole area; but I think that there is this objection, that when you spread the area of any rate so widely, you do away with all superintendence; nobody takes any interest in the expenditure. It is like the common fund charge of an union I act as guardian in the Chesterfield Union, and when a common fund case comes before the Board, I observe it is nobody's business.

1734. Are there any trusts out of debt in Derbyshire?—Not any that I know of.

1735. Supposing that it is recommended by this Committee that the county should levy a rate for keeping up the roads, that would amount to a large sum, would it not?—I should imagine to a very serious sum.

1736. What are the debts on your trust?—I do not know. I refer to Derbyshire Trusts in general. On the Chesterfield and Hernstone Lane Trusts it is 4,500*l.*

1737. I think you said that the consolidation of the trusts would tend to lessen the expense very much?—No doubt it would, where the trusts are very small.

1738. Are there any trusts in your neighbourhood so situated that you could bring them into your own trust?—There are perhaps two trusts with respect to which that could be done, but not with much advantage.

1739. Do you not think that by a very few extra servants that might be carried out?—I do not myself like doing things by deputy; I prefer that every man should be responsible for his own work.

1740. *Chairman.*] Are you of opinion that the county rate system generally is ill administered or ill managed?—I will not undertake to say that, because some of the magistrates take great pains with it, but there is some little dissatisfaction, and the ratepayers think that the rates are unnecessarily increased.

1741. Do you think that the ratepayers should be

parties to that question at all?—No, not ll.

742. Do the magistrates mismanage the mat- in your opinion?—No; but I think that they ot consider the interest of the poorer rate- ers sufficiently. Our constabulary rate has doubled within the last few years. I sup- that the force has increased, but it does not a great deal of satisfaction in the rural dis- s, though it is no doubt very useful in popu- places; I hardly ever see a policeman in parish.

743. Do you think that much weight is to be ched to that sort of general dissatisfaction n no details are gone into?—Well, perhaps

744. Mr. *Western.*] Have you ever heard expediency of removing the turnpike gates ted in your district?—Yes.

745. Is there any feeling in favour of it?— will find plenty of advocates for it in the s; in fact, it sets the towns against the coun- because the towns have very little highway rovide for.

746. But your trust have never considered question?—I believe that it has been talked at recent meetings.

747. Were any means suggested by which debt could be discharged?—No; I never heard subject discussed.

748. Mr. *Fenwick.*] Do the corporation of sterfield repair the whole of the streets?— streets of the town are nearly conterminous the borough.

749. They repair their own streets, do they? es.

750. When you go into the town of Chester- field, you do not pay a toll for the use of their streets, do you?—No.

Rev. *W. Peach.* 28 April 1864.

1751. But when they go along your roads, they have to pay a toll?—They can go over five miles of our road without paying a toll; they probably know that if the tradespeople did not keep their roads in good repair, we should not go there.

1752. But do you think it is fair that you should be free of their roads, while they have to pay a toll in coming upon yours?—They can, in fact, pass over our road for, perhaps, four times the distance that we can pass over theirs, without paying toll.

1753. How far is the nearest toll-gate from the borough of Chesterfield?—Two miles.

1754. Are there not two miles of streets in Chesterfield?—No; I believe not.

1755. When they want to have a country drive, do you find that the people of Chesterfield can evade the tolls?—They do it continually.

1756. Do you think it right that toll bars should exist which have the effect of preventing people in towns from driving over the country roads?—I know they do it; I see them come up to the bar, and turn their horses round. If they want a drive, why should they not pay the toll?

1757. But you may drive up and down their streets all day without paying anything?—And they are very glad to see us.

1758. And you are very glad to see them, I dare say?—If they paid a toll we should be.

1759. Mr. *Western.*] What is the average cost per mile of your roads?—27 *l.* on the whole length; 34 *l.* as applied to the 11 miles.

JOHN HENRY SCOURFIELD, Esq., a Member of the House; Examined.

760. Colonel *Pennant.*] YOU are acquainted h the South Wales system of roads, are you ?—I have been a Member of the County ds Board since its commencement, and irman of it for a great many years.

761. Do you not think that the discontent ch occurred in South Wales with respect to pike gates was very much owing to the ber of the trusts?—Yes, to the number of the ts, and to the sort of lottery system which vailed with regard to the tolls, by which one might have to pay two or three gates, reas another might pass over a great many s of road, and not pay any. I can illustrate action of that lottery system by referring to own case. Some relations of mine, whom we e in the habit of visiting, lived within a dis- e of eight miles from my house. Our way her ran over three distinct turnpike trusts, two portions of parish roads. On one of the pike roads we travelled between two and e miles without paying anything. On another t we went upwards of two miles without pay- anything; while, on the third turnpike trust, r a distance of about 200 or 300 yards we e caught by a gate and paid, so that we did pay at all, in fact, on the roads which we used most.

762. Under the Royal Commission in South les there was a consolidation of the various ts, was there not?—Yes.

763. The arrangement was, that the debt, the ey for which was advanced by the Govern- ment, should be repaid by annual instalments to the Exchequer Loan Commissioners?—Yes, by terminable annuities of 30 years.

J. H. Scourfield, Esq., M.P.

1764. Under that consolidation you fixed the turnpike gates at particular spots, did you not?—You cannot take more than one toll in seven miles.

1765. Are you of opinion that that system has worked well?—I think so.

1766. Do you think that it has given satisfaction?—I have been chairman of the Quarter Sessions and chairman of Committees of this House, and chairman in other ways, and it is the only sort of Board or Institution of any kind that has given me no trouble.

1767. Can you state what are the working expenses in your district?—Yes; I have here a paper of the expenditure of 1863, and an estimate for the year 1864.

1768. *Chairman.*] How many surveyors are there in your district?—One.

1769. There are 85 miles of roads, are there not?—Yes.

1770. Colonel *Pennant.*] Are the roads in good order?—Yes, in very good order, I think.

1771. And you have now no complaint about the position of the gates?—None, I think; of course it is a strong thing to give a negative of that sort, but I may state, generally, that no complaint has been brought to my notice.

1772. Has the income arising from the tolls been in a great measure sufficient to pay off the annual instalments, in addition to the cost of the

J. H. Scourfield, Esq., M.P.

28 April 1864.

repairs of the roads?—The county rate is liable for the amount of the debt due to the Exchequer Loan Commissioners, which is about 800 *l.* a year; for the greater number of years we have been obliged to have recourse to the county rates, but for the last two years the receipts from tolls have been sufficient, both to pay the Government debt and for the repairs of the roads.

1773. What proportion does the supplementary payment from the county rates bear to the total amount of instalment payable?—The total receipts from tolls in 1863 were 2,663 *l.* Then there was a receipt from bridges of 50 *l.*, and what we had to pay back to the Government was 816 *l.*

1774. During the last two years the receipts from the tolls have not only paid the expense of repairing and managing the roads, but have contributed the necessary instalment for the repayment of the loan?—Yes; that is a fixed instalment, not a varying one.

1775. When the debt shall be repaid, what is your opinion with respect to the continuation of the system; would you abolish it, and throw the repairs of the roads upon the highway rates?—I should prefer a continuation of the system; the rates are the subject of considerable irritation; although an increase of the county rate may fall lightly upon individuals, it is always looked upon with regard to the relative increase, with great displeasure; but I should like to know more specifically whether your question had reference to the repair of the roads by the parishes, or by the counties.

1776. If it were not done parochially, do you think there would be any difficulty in forming the districts?—I think there would.

1777. But in any case, whether the repairs were done by the county, or by parish boundaries, you think you would prefer the existing system?—I prefer the existing system; there is no discontent, and we get good roads. Proportionately, the roads are infinitely better than the highway roads, although the highway roads are very much improved.

1778. Mr. *Western.*] What do you pay your surveyor?—£. 125.

1779. For the 85 miles?—Yes.

1780. What do you pay your clerk?—We have two clerks. We have two Boards; one is the county road, and the other is a district Board.

1781. What do you pay the clerk of the County Roads Board?—£. 45 a-year.

1782. What do you pay the clerk of the District Roads Board?—£. 25 a-year.

1783. Under what Board does the turnpike trust come?—They are both connected, only one takes them in districts and the other takes the general management.

1784. You pay 45 *l.* to one clerk and 25 *l.* to the other?—Yes.

1785. To your surveyor you pay 125 *l.*?—Yes.

1786. Is he your only surveyor?—Yes.

1787. Is not that rather an unusual payment?—He is well worth it.

1788. Your trusts are all consolidated?—Yes.

1789. That expense is the total expense connected with the whole of the county?—Yes.

1790. And you say the roads are kept in good order?—I should say in excellent order.

1791. What is the present debt?—About 16,000 *l.*, which is paid off by a terminable annuity of about 816 *l.* every year, and that continue the same to the end.

1792. Do you propose to abolish the tolls w the money you have borrowed is paid off?—W the end comes I do not presume to say what happen, whether we shall apply for a renewa the Act or throw the repairs on the parishes.

1793. Colonel *Pennant.*] But you would pr to continue the present system?—I should pr to continue the present system.

1794. Mr. *Fenwick.*] I understood you to s that you thought the great dissatisfaction ab tolls which formerly existed in South Wales in consequence of the inequality of the tolls Not so much from the inequality of the tolls from the obvious inequality of the arrangem by which one person would pay who used on mile of the road, and another would not pay used six or seven miles of it.

1795. And your present system is that th can only be one tollbar for every seven miles it?—Yes.

1796. Then, supposing one man lives a mile off from the tollbar, and another man li six miles and a half from the tollbar, would th not be a similar case of inequality?—That is own case. I live very near the tollbar, an am caught; those instances will occasion occur, but they are quite exceptional.

1797. Do you not think that any system tollbars must produce that inequality?—To certain extent, no doubt.

1798. Then is not that an argument agai tollbars altogether?—I cannot answer t question, unless I compare the turnpike syst with some other system. I cannot compare actually existing system, which is a fact, with abstraction of any kind; but the system of rep ing the roads by rates would be most unequ because one man uses a road six or seven tir as much as another.

1799. You say the present system gives sa faction: is that positive general satisfaction; you think, or is it satisfaction compared with discontent created by the old system?—I use word in its general sense.

1800. You spoke of absolute satisfaction, you?—"Absolute satisfaction" is a strong expr sion; people would be miserable if they had thing to grumble at, but the system produ satisfaction in the ordinary sense of the term.

1801. Is it not rather this, that people reme ber the old state of things in comparison with present, although they do not like it?—No; y can hardly say that, because the present syst of things has been in operation 16 years; t memory of the old system has died away in th who ever remember it, and a good many ha never remembered it at all.

1802. You have the highway system in yo district, have you not?—Yes.

1803. How does that work?—I consider works well; but if you ask me about complain I should say there are more complaints about t highway system than there are about the tu pike-road system.

1804. In your opinion, does the highway sy tem work very well, on the whole, in Sou Wales?—I only answer for my own county; h having a good deal to do in the county, a having to attend to the County Roads Boa I take very little part in the management of t highways, and really would not undertake to s much on the subject.

1805. Do you see any practical objection to including so much of the turnpike roads as are now under the trusts within the highway districts which the roads pass through?—Yes; we had the greatest possible difficulty with respect to the highway districts, and there is a great deal of complaint about them.

1806. Practically, what is the difficulty that you would feel?—The difficulty would relate to the adjustment of the districts. In order to meet the feelings of farmers, who are very sensitive on the subject of anything like salaries, we were obliged, in order that we might have fewer new surveyors, to make larger districts for the management of the highways than, I am sure, ought to be made: the best-managed district in the county is a district where the area is very small; in fact, the districts are made too large, and there are constant complaints made by numbers of people.

1807. Do you know what the length of mileage in that district is?—There are two or three districts; there is one district of between 100 or 200 miles.

1808. Is that too large for one surveyor, do you think?—It depends a good deal on the character of the county itself: some of the roads lie more together; sometimes they are spread in longitudinal directions over the district.

1809. I am anxious to elicit from you whether you do or do not think that turnpike roads might be included within the highway districts through which they pass?—I should say, decidedly not, without great modifications of the system, to which modifications I do not see my way. To illustrate the dissatisfaction which is felt with regard to the rating, I will take the case of my own county, where nothing but the limited nature of the rate prevents much greater dissatisfaction than there is. The county of Pembroke is divided by a range of hills, or mountains (as they might almost be called), which run from east to west; the greater part of the turnpike roads are nearly all south of that range of hills, though there are some few on the north. Now and then persons who live on the north side rather complain that they are liable for the rate for paying off the debt, while they have only a limited enjoyment of the turnpike roads. My answer always is: "I admit that that is abstractedly a grievance, but the rate you pay is so very small, that it will scarcely be worth consideration; and you have, in fact, all the dignity of martydom, without any of its inconveniences."

1810. What is the particular and specific objection which you see to including turnpike roads in the highway districts; is it that the highway districts would be too large?—The turnpike roads are much more expensive to maintain: they are wider; the traffic is greater; and there is a good deal of what is called through traffic.

1811. Is it not the fact that railways have made the traffic almost entirely local?—No; there is a certain amount of through traffic in carting, and so on.

1812. Practically, is not the traffic now merely local; the railways carrying all the through traffic?—There is no doubt that the railways carry a good deal of the through traffic.

1813. In Pembroke, there are railways, are there not?—Yes, in some parts of the county; but there is a great deal of the county through which there is no railway, either existing, or likely to pass.

1814. Do you know Mr. M'Connell, who is a surveyor of highroads in Scotland?—I have heard his name.

1815. Are you aware that it is his opinion that a surveyor can very well look after 200 or 300 miles of road, provided the extent of the district from the centre is not more than 20 miles?—I was not aware of that opinion; but it confirms what I have said with respect to the number of miles that a surveyor can properly take in charge, considered in relation to the character of the district.

1816. Have you any highway district in Wales 40 miles long?—The Pembrokeshire turnpike roads must extend to nearly 38 miles.

1817. Is that all within one highway district?—No.

1818. Do you apprehend, in practice, that the addition of the turnpike roads to the highway district would make the district unworkable by one surveyor under the Highway Act?—Some of the districts are too large already.

1819. Do you say that upon the assumption that 150 miles is too large?—According to my experience it is.

1820. Sir *William Jolliffe.*] South Wales is exempt from the General Highway Act, passed two years ago, is it not?—The consolidation preceded the passing of that Act.

1821. The system in South Wales is that which is now sanctioned by the general law, is it not?—With some exceptions; it is connected with our county road system; it was initiated from our county road system; we had to fix the districts, and we appointed the surveyors.

1822. You do not contemplate that it would now be possible to change the system until the debt is extinguished?—We could not do so; we are under a special act.

1823. It would be almost impossible to deal with that part of the country in any general act applying to turnpikes only?—I think so.

1824. The county rate-in-aid is not applicable to the repairing of the road, is it?—It enters into the question, but the Act strictly defines the amount that you may take from the counties towards the amount that is due for the Government debt.

1825. The county rate-in-aid only applies to the liability created by the Government debt?—Yes.

1826. Therefore, you would never be able to call for county aid to repair the roads, supposing the debt to be extinguished?—No.

1827. Do you let your tolls?—Yes.

1828. Do you find any difficulty in getting persons to give a fair rent for the tolls?—No; they have let surprisingly well of late; quite beyond my expectations.

1829. Is it that increase in the value of the tolls which has brought you into the state of prosperity you describe, so that for the last two years you have been able to do without county aid?—Yes; and the gradual amelioration of the roads which require less to be laid out upon them; they have been put in good heart, as the phrase is. We have a great advantage in South Wales in the Government superintendent, who makes all the estimates for the six counties; he is paid by the Government, and he is a very valuable officer. The first officer we had was Colonel Harness, who was almost too good a man, because he was sure not to remain with us; we travel, so to speak, entirely on his lines. We have now an engineer officer, General Wortham, in his place,

J. H. Scourfield, Esq., M.P.

28 April 1864.

who performs the duty in the most efficient manner.

1830. Has he anything to do with the highways?—He has only to do with the turnpike roads.

1831. Mr. *Wrightson.*] Have the six counties of South Wales adopted the Highway Improvement Act?—The county of Glamorganshire did not like it at first, but I think they have adopted it.

1832. Mr. *Alcock.*] Do you let all your tolls to one man?—No; there are several people; some people take two or three gates, but there is no very large contractor for the gates.

1833. You think that is better than employing your own collector?—That plan has failed entirely wherever it has been tried.

1834. *Chairman.*] I think you have only one railroad in Pembrokeshire, have you?—Only one at present.

1835. Quite in the south, is it not?—Yes, you may say it is quite in the south.

1836. Between Haverfordwest and Cardiganshire, you have none?—None, the railway runs very nearly through the centre of the county.

1837. Therefore, the railway need not necessarily have diminished your gains?—No.

1838. It may even have increased them?—That is possible.

1839. Have you not, by your actual procedure, already admitted the principle of putting the debt on the county rates?—No, I think the smallness of the rate is its security; nothing but the smalln of the rate saves it from occasioning serious co plaints: there would be great dissatisfaction if were more than it is.

1840. But surely you have admitted the wh principle in making the county rate responsil for the debt?—I think these are matters of degr all of them; of course, you may talk of admitti a principle, but principle and practice are vc much mixed up in such matters, and if the pr ciple involved a very heavy payment you wou find that the rate would be complained of, as is not complained of now; besides which, it m be taken into account that it has not been ab lutely necessary to call the rate into operation the last two years.

1841. Were you an advocate for the origi measure?—Yes.

1842. Then did you not, by becoming an a vocate for the original measure, admit the pri ciple of using the county rate to supplement t other?—I have always admitted the existence an abstract injustice, or rather, I should say was a case of stern necessity. We had to choo between two evils; and I never could keep a person in good humour on the subject, except arguing with him in the way I have alrea hinted at, namely, by saying, "The inconvenien you suffer is so small that you have all the di nity of martyrdom without suffering any of real inconveniences."

Lunæ, 2° die Maii 1864.

MEMBERS PRESENT:

Mr. Alcock.
Mr. Baring.
Mr. Sclater Booth.
Mr. Clive.
Mr. Dodson.
Mr. Fenwick.
Colonel French.
Sir William Jolliffe.
Mr. William Legh.
Colonel Hussey Packe.
Colonel Pennant.
Mr. Walter.
Mr. Western.
Lord Henley.

GEORGE CLIVE, Esq., IN THE CHAIR.

HENRY WILLIAM LITTLER, Esq.; called in, and Examined.

H. W. Littler, Esq.

2 May 1864.

1843. *Chairman.*] WHAT are you?—I am a Solicitor, residing at Oldham.

1844. Are you clerk to any turnpike trust?—I am at present clerk to all the four junction trusts communicating with Oldham, and I have acted as clerk to three of those trusts for upwards of 20 years, partly as representing my late partner, who was clerk of one of the trusts to which I have only recently been myself appointed; those trusts are the Manchester, Oldham Austerlands, the Standige and Oldham, the Oldham and Ripponden, and the Dryclough Shaw and Rochdale.

1845. Do all those trusts converge to Oldham?—They all communicate with Oldham.

1846. How many miles of road are there in the Manchester one?—Altogether, a little over 19 miles.

1847. How many miles are there in the next; I mean the Oldham and Standige?—It is nearly 12 miles.

1848. The Oldham and Ripponden, how many miles?—Close on 17.

1849. The Dryclough and Shaw, how many?—Ten and a-half miles.

1850. That is, in round numbers, about 58 miles, is it not?—Yes, about that.

1851. What is the clerk paid in the Manchester trust?—In the Manchester trust it is 80 *l.*

1852. What is the surveyor's salary?—£. 200.

1853. And the treasurer?—There is no treasurer; there is a controller, who receives 30 *l.*

1854. On the Standige and Oldham, what are the salaries?—The surveyor receives 50 *l.*

1855. And the clerk?—£. 20.

1856. And the controller, or treasurer?—Nothing for the treasurer and nothing for controller.

1857. Now, take the Oldham and Ripponden; what are the salaries on that trust?—The clerk receives 25 *l.*

1858. And the surveyor?—£. 20.

1859. Is there any other officer?—No.

1860. What are the salaries on the Dryclough Shaw?—The clerk receives 30 *l.*

1861. And the surveyor, how much?—£. 10.

1862. Is there no other officer?—There is no other officer.

1863. Therefore the expense of officers in those trusts is 465 *l.* for the 58 miles of road, is it not?—Yes; the surveyor on the Manchester Trust receives 200 *l.*; that is one of the most important trusts; the Manchester and Oldham is 310 *l.* alone for salaries. The tolls, in the year 1839, produced 10,800 *l.*, and one-half of that would be collected on what would be the main line, extending from Manchester through Oldham to about a mile beyond into Yorkshire.

1864. Colonel *Pennant.*] That communicates with the Oldham and Standige Trust?—Yes; it runs into it; then it runs through from Manchester to Oldham, and for about a mile or two beyond into Yorkshire, and it formed originally the great trunk line of communication into Yorkshire; there were coaches and carriers' carts, and all that through traffic went through it before the railway was opened. It also communicates with Rochdale through Oldham to Ashton in the shape of a cross, but the revenue is principally collected on the main road. (*The Witness explained the position of the roads in the trust on the map to the Committee.*)

1865. Colonel *Hussey Packe.*] What did you say was the amount of the tolls in the year 1839?—On the Manchester and Oldham Trust the amount of tolls was 10,800 *l.* before the railway was opened; on the railway being opened it fell to 7,000 *l.*; and then, in 1848, it again fell to 5,800 *l.*; that was not on account of the railway but on account of the badness of trade. It rose again in the years 1856 and 1857: the tolls were let for two years for 18,000 *l.*; they have again fallen, and the last letting was 6,573 *l.* for two years. Now they are in the Trustees' hands on account of the trade being so bad in the district, and the toll-takers did not come forward with such a price as the Trustees thought fair; now they produce at the rate of about 5,100 *l.* per annum.

1866. They are rather less than half what they were before the railway was opened?—Yes; but the toll has been reduced since December 1860 to one-third of what it was; they now pay 2 *d.* for a one-horse brougham.

1867. *Chairman.*] But that would not necessarily

H. W. Littler, Esq.

2 May 1864.

sarily have the effect of reducing the receipts, would it?—Yes; it had immediately that effect.

1868. But eventually it would produce an increase in the traffic, would it not?—I do not think that it would make any material difference.

1869. The lower the toll, the more travelling there would be on the road, would there not?—No, not there; the traffic there is necessarily so great that it would not make that difference; people must travel on the road, and the toll has become light.

1870. The expenses amount to 38 *l.* a-mile for officers alone, on those four trusts, do they not?—I have not calculated that; but, taking the salary of the surveyor at 200 *l.*, I feel confident that you could not have those roads kept up at a less salary than that; the expense of maintenance is very great; it amounts to as much in several places as 400 *l.* a-mile, and it requires constant supervision; if there were to be such a thing as I heard mooted at the meeting of the Committee on Thursday, that the surveyor was to undertake 70 or 80 miles of road, certainly this road must be neglected unless the defect were made up in another way by subordinate officers, which would be more costly and more unsatisfactory; the trustees have had their attention frequently called to this question of cost of superintendence, and they have never thought that it was possible to reduce it. With regard to the present surveyor there was something unsatisfactory, and he had to leave; the trustees advertised for a fresh surveyor, and they had to take the same man back again; and the only plan they thought of was dividing the trust, and having two surveyors. It is impossible to be walking over every branch road at the same time, but it is necessary that the surveyor should have supervision over them in case of accidents.

1871. Is not that equally the case of all roads of equal traffic?—Yes.

1872. Are you giving the Committee your own inferences and the trustees' opinion, or are you giving us the experience of any district besides your own?—I have only the experience of this district.

1873. Therefore it is not from a comparison of experiences that you are speaking?—I have experience of those other trusts in the neighbourhood.

1874. But you have no experience of any other district where a road with a great traffic upon it has been conducted upon different principles?—No; but I do not think that you could have an efficient surveyor for such a road at a less salary than the amount which I have mentioned. Then, with regard to the clerk, a clerk in a trust of this nature has a great deal to do; for instance, the trusts have fortnightly meetings of a committee, and they are almost as numerously attended as the general meetings at which all the accounts are audited, and it is the clerk's business to keep counter-checks against the treasurer and the controller, and to enter them; the general business of the trust devolves on the clerk, and, to have it perfectly well managed, you could scarcely have a man competent for the position at a very much less salary. The Committee were asking also about the toll collector's wages. Now, those trusts having been in the trustee's hands, I can inform the Committee how much the collector's wages amounted to.

1875. How much do they amount to?—£. 7 per week.

1876. For how many collectors?—Twelve.

1877. What do they receive?—It varies a cording to the importance of the gate.

1878. The whole number of the collectors a paid 7 *l.* a-week, you say?—The wages of t whole of those 12 amount to 7 *l.* per week, whic on the former receipts in the year 1839, I calc lated would be about 3½ per cent.

1879. You speak now of the first trust, do y not?—I speak now of the first trust only; th would be under the last letting (I do not spe now of the present depressed state of the toll about 5 per cent. on the gross receipts, perha a little under.

1880. What do you put the salaries of t officers at?—£. 310.

1881. For how many miles?—For 19 miles.

1882. How much would that be a mile?—Between 15 *l.* and 16 *l.* a-mile.

1883. And the collectors?—The collectors' s laries would be about 364 *l.* a-year, that would l close on 17 *l.* a-mile.

1884. So that the salaries of the collectors ar officers together would be about 33 *l.* a-mile; not that so?—Yes.

1885. The toll collectors have houses rent fre have they not?—Yes.

1886. That would make a difference, would not?—Yes; they can build a house for about 80

1887. The interest on 80 *l.* at 5 per cent. 6 per cent. would have to be taken into account —Yes; I have not taken that into account.

1888. Is there anything else that you have n taken into account?—No; that is all that know of.

1889. Colonel *Pennant.*] You have said alread that you are clerk to several trusts?—Yes.

1890. Have not some of the Acts of thos trusts expired recently?—Yes; one of them ex pired in the year 1861, and it has been renewe for 21 years; the other expired last year, an has been renewed for 21 years also.

1891. Are there not one or two more whic will expire directly?—One will expire in fou years; the Dryclough Shaw will expire in fou years.

1892. Do you not think that by consolidatin this trust a considerable expense might have bee saved?—Yes; I think it might be done, and if, i cases where trusts did expire, they were brough before a committee with that view, I think tha great good might be effected.

1893. Are you paying off the debt in case where the trusts have been renewed by Act Parliament?—Yes; the Standige and Oldha debt is paid off. You may remember that was before your Committee, and there was a b which they wished to be removed on the payme of the debt, which is only about 500 *l.*; they we to have that removed, and they have paid off th debt, so that there is no debt upon the Standig Trust.

1894. *Chairman.*] I suppose that the tolls wi be kept up for the repairs of the road?—Yes.

1895. Colonel *Pennant.*] The Standige an Oldham Trust at that time extended from Ol ham through Dobb's Cross over the hills in Yorkshire?—Yes.

1896. Of what are your Trustees principall composed; are they composed of persons residin throughout the whole length of that road?—Ye among the present trustees there is a very larg proportion of the trading interest who use th roads chiefly, and whose interest, therefore, rath

rather conflicting with that of the old body of trustees; that is on the Standige Trust.

1897. That is to say, part of the trustees being manufacturers in the neighbourhood of Oldham, were anxious to get rid of the gates, which was objected to by the inhabitants of the upper district beyond?—Yes; very strongly objected to, and also by the trustees having the management of the trust, who thought that it would be very unfair indeed that the repair of those roads should be thrown on the highway-rate, and those who were interested on the other side of the question, the manufacturers took it up very warmly, and the gentlemen who had the management of the trust brought the thing before the Committee here, and, on hearing the whole of the evidence, you continued the trust 21 years. There was evidence that there were a great many small rate-payers who did not use the road regularly, and who kept merely a cow, and perhaps no horse at all, and it would be very unpleasant on them, they having already 80 miles of highway, to have this also thrown on them. There was also another objection, namely, that owing to there being bars on other turnpike roads there would, no doubt, be brought a great deal of traffic on this trust if the bar were removed, and therefore that that would bring an additional cost in repairing to the township.

1898. You mean, that by taking off the tolls on this particular road, the traffic would be diverted from the parallel roads in the neighbourhood, and would pass over this, to the detriment of the road at the expense of the rate-payers?—Yes.

1899. There are a good many manufacturers in the neighbourhood of Oldham, are there not?—Yes.

1900. And they use the road a good deal?—Yes.

1901. And it is heavy traffic?—It is.

1902. Is that the case all about Oldham and those roads?—It is, generally.

1903. If the trust were discontinued, and the repairs thrown on the rates, would those manufacturers become liable in any degree commensurate with the way in which they pass over the road?—No, certainly not; they would be merely rated according to the assessment of their mills

1904. Did you go into that question when there was that discussion between the upper portion of the country lying towards Saddleworth, and the people more towards Oldham?—Not very minutely, but it was understood that they themselves had gone into it very minutely, and they found that they would have to pay considerably less in rates than they did in tolls.

1905. There was a great deal of dispute at that time, was there not?—There was a great deal of dispute at that time.

1906. There was a great deal of dispute between the people of Saddleworth, and so on, and the people near Oldham?—Yes.

1907. And you had a meeting, I believe?—Yes, we had a meeting, and it was one of the most extraordinary things; it was a meeting in the church.

1908. *Chairman.*] You state that you found that they would pay less in rates than in tolls?—It was understood that the opponents of the Bill had made that calculation, and that they were satisfied it would be to their benefit to have the tolls abolished.

1909. On whom would the rates have fallen?—Generally on the inhabitants; on the rateable property.

1910. Do you mean on agricultural property?—Yes.

1911. Has that not been greatly benefited by the towns on the road?—No, it is most remarkable that it has not in Saddleworth; I have been told by my late partner, who lived to a good age, and who had always resided in the neighbourhood, that he remembered 50 or 60 years ago that the land was in some places nearly twice the value that it is now, owing to the trade being at that time carried on in private houses; they had their little farms with their private workshops, and they kept up their farms as well.

1912. But still the trade, whether in private or in public places, must have benefited the land a good deal?—As a general principle, I should think it did.

1913. I believe that land has been sold for a very large sum of money in the neighbourhood of these towns?—Yes.

1914. And at sums fabulously great, has it not?—In many instances, no doubt; in fact it is according to the extension of the town by its trade, that this farming land becomes building land.

1915. And many of the proprietors sell what was agricultural land for building land?—Yes.

1916. Would it be any hardship on such a proprietor to have to bear an additional rate?—It is according as he was benefited by the extension of the town.

1917. But must he not be benefited by its extension?—It depends entirely on the situation of the property. If you put it as a question of agricultural land, I should say, no.

1918. Are there not much greater facilities for bringing manure, for example?—I do not know that that is a very material thing.

1919. Have you any doubt that a large town in the immediate neighbourhood of farms is of very great benefit to the farms, by giving facilities for getting manure?—That would form one consideration.

1920. Colonel *Pennant.*] But the improvement of land for building purposes would be merely in the immediate neighbourhood of a town, would it not?—Yes.

1921. That would not affect the value of land in the remote districts from the town, which would still be liable for the rates for the repair of the road?—Yes.

1922. What is the distance of the Standige Trust from Oldham; I mean its whole extent?—I think it extends for seven miles.

1923. To Dobb's Cross?—Yes, and goes through; but you may call it an agricultural district, with manufactories dotted here and there; not concentrated.

1924. But it is not building land?—No, not building land.

1925. Have you any mineral works in that district?—We have very extensive collieries in Oldham, but not on that side towards Saddleworth.

1926. Is there much traffic from the collieries?—A great deal.

1927. The traffic passes over the roads I suppose?—Yes, a great deal of the traffic passed through what was called the Lees Bar on the Standige Trust.

H. W. Littler, Esq.
2 May 1864.

1928. Would these collieries be rated in any way at all commensurate with their traffic?—I should say not.

1929. Where does the county boundary end, how far from Oldham?—Taking the Town Hall, I should think under two miles.

1930. Supposing that there was a rate levied on the county, all beyond that would not be in any way at the expense of Oldham; Oldham would not contribute if a county rate were levied to the repair of the other five miles of this trust?—No.

1931. With regard to the expenditure on those roads, can you give at all the expenditure on the different trusts, so as to make a comparison between the expenditure per mile on the roads, and the amount of salaries and the expenses of management?—I have an estimate of the Manchester and Oldham Trust for the current year.

1932. What is the expense per mile in the neighbourhood of the town?—The Manchester and Oldham Trust passes through several townships, and I have got here a return from the surveyor of the cost of repairs per mile in each township. Newton, 400*l.* a mile, Failsworth, 400*l.* a mile, Oldham, 150*l.* a mile, Royton, 80*l.* a mile, Thornham, 60*l.* a mile, Kingston, 250*l.* a mile, Knott Lane, 100*l.* a mile. I asked the surveyor also to get me a return of the rateable value of the upper portion, which is chiefly agricultural, lying nearer to Manchester than Oldham, the distance being seven miles.

1933. It is about an average of 3½ miles from one town, and four miles from the other?—Yes, the area of Failsworth is 1,073 acres, the population is 5,113, and the rateable value is 15,170*l.*

1934. *Chairman.*] Then the rateable value of the land for letting is about 15*l.* an acre?—Yes.

1935. Colonel *Pennant.*] That includes building?—Yes; the length of the turnpike road is one mile two quarters and 178 yards, and the cost of repairing that would be 640*l.* Now, the amount of the last highway rate in 1862 was 2*d.* in the pound for that township, and to meet the cost of repairing that length of road they would require an additional rate of 10*d.* in the pound, making a total rate of 1*s.* in the pound.

1936. That is independently of any additional cost of management and superintendence?—This is simply the cost of the repar of the road on the best and economical principle, not including anything for salaries.

1937. Colonel *French.*] You do not include the 50*l.* a mile in the expense of maintaining those roads at 400*l.* per mile?—No; just the mere net repairs, without collection or the salaries of officers.

1938. Colonel *Pennant.*] I see that the cost of the repairs varies from 60*l.* a mile, in one case, to 200*l.* a mile in another case?—Yes.

1939. Suppose that the repair of those roads were thrown on the township, which, I believe, is your mode of rating for the highways, would the large towns of Manchester and Oldham in any way contribute to the repairs of the roads lying between those large towns?—They would not contribute in any way.

1940. Therefore they would have the use of the road between those two towns, without contributing to the repairs by a rate?—Yes, and that is just what is the apparent unfairness of throwing on those intermediate townships the cost of repairs.

1941. Colonel *French.*] I suppose that all those roads on which 400*l.* a mile is spent, would be paved roads?—They would be half paved with the best Welsh sets, and half macadamised; it is the side path which is paved.

1942. Colonel *Pennant.*] One-half you mean in width, not one-half longitudinally?—In width.

1943. With respect to forming districts there over which the rating might be thrown, so as to include those towns in the rating, would it be at all difficult to do that?—Yes, I think it would be very difficult to get the towns of Manchester and Oldham to assent to pay the rates.

1944. But would it not be difficult to assign those towns to any particular district?—Yes, I think it would be very difficult indeed.

1945. Unless you had districts of very large extent, I suppose?—Yes; then, with regard to throwing the repair on the county rate, I should say myself, so far as my own experience extends, that it would be in the highest degree unsatisfactory, both with regard to those who had to pay the rates, and also as it would apply to the formation of the county Board. I think it would be bad policy to change the construction of that Board, which would have to be done in case of throwing the repairs on the county rate.

1946. But would it not be difficult in forming districts in that county to apportion those large towns, with respect to their valuation, to those particular districts so formed; for instance, Manchester?—I do not see how it could be done. There is another objection to throwing the repair of those great roads on the ratepayers, which is that the ratepayers as a body have an interest quite distinct from that of those who travel on the road; they want a good road, and the ratepayers as a body do not care about a good road; all they want is to keep the expense at the lowest possible sum; and therefore any one who goes from them as their representative would have to carry out those views; and that, in my opinion, is a thing which will have to be tried with respect to the late Highway Bill.

1947. Have you many highway districts formed there?—No; I think there are one or two, nominally formed somewhere about Oldham; but what with the turnpike roads and other local Boards of health being brought into operation there is scarcely any district for it to operate upon.

1948. You have, I believe, several instances of Boards of health and local improvement Acts in those towns?—Yes, all about; and a great number have taken advantage of that Act.

1949. But I mean local Acts; have you not improvement or local management Acts in Manchester, for instance;—Yes, in Manchester, of course they have; I should think that they have more than 20 Acts there, and in Oldham they have an improvement Act which they have worked under now for 40 years, perhaps.

1950. Do they repair their own roads within the limits of that Act?—Only the highways.

1951. But in general, where there is a local Improvement Act, they have the repair of their own roads, have they not?—Yes, only that if the turnpike road passes through them it does not interfere with them; the Turnpike Trust repairs its own road, but they make arrangements with the Highway Board.

1952. Mr. *Alcock.*] You had a new Act for the Standidge Trust last year, I believe?—Yes.

1953. For

1953. For 21 years?—Yes.

1954. And you say that the debt of that trust is paid off?—Yes.

1955. Did you ask for an Act for 21 years when your debt was to be paid off next year?—That was one of the main reasons why that Act was granted; the debt was only 500 *l.*, and the trustees promoting the Bill did not put it on that ground, but they put it on the ground of the unfairness of exempting those who use the road from paying their proportion towards the repair, and throwing it on the townships.

1956. The object of the trustees was to continue the system of tolls?—Yes.

1957. *Chairman.*] What did the Act of Parliament cost the Standidge Trust last year?—I cannot tell you exactly, because the costs are not settled yet. We were seven days in committee, and we had an unexampled opposition; and I should think that the cost would be 1,500 *l.*

1958. What is the total receipt of the trust in a year?—About 600 *l.*

1959. Therefore the Act of Parliament cost you two and a-half years' receipts?—Yes; but I think that, except for the parties opposing the Bill, the cost would not have reached more than from 300 *l.* to 500 *l.*

1960. But, in calculating the expense in any lawsuit, you must always calculate for the opposition, unless it is an undefended cause?—You might look at it in that way; only, if it had been an ordinary lawsuit, and if they had to pay the cost, there would have been no opposition.

1961. Colonel *Pennant.*] I believe that the opposition came principally from a few manufacturers in the neighbourhood of Oldham, who use the road for their heavy traffic?—Yes.

1962. And who would not have been rated at all commensurately to the tolls which they now pay?—Just so.

1963. There had been disputes and meetings there, had there not?—Yes.

1964. And I believe that that opposition was the opposition of the county district beyond, as against that district lying near Oldham?—Yes.

1965. A portion of the trust ran close into the town of Oldham?—Yes.

1966. And the debt in that particular part has been paid off since that Committee granted the Act, and it has been discharged from that trust?—Yes.

1967. Mr. *Alcock.*] What was the meeting in the church to which you alluded?—They had had vestry meetings from time immemorial in the church, and they adjourned into it.

1968. You had another Act last Session, had you not?—No; the Oldham and Ripponden Act was renewed in the year 1861 for 21 years. It has a debt of upwards of 14,000 *l.*, which will be paid off before the end of that time.

1969. What is the income of that trust now?—The tolls are now let for 770 *l.*

1970. That is only five per cent. on the whole debt?—Yes.

1971. How much did the Act cost?—I think that the opposition in that case was from Oldham; but the total cost of that Act was 700 *l.*

1972. That was because the opposition was not important, I suppose?—They did not carry the opposition on with that strong personal feeling which was shown in the Standidge case.

1973. Then there was a very great fight about the Standidge Trust?—Yes.

1974. Mr. *Baring.*] You do not consider that it would be expedient to abolish the turnpike trusts in your district?—No; I think that, under the circumstances, it is the fairest and best mode of collecting the revenue for repairs.

1975. Supposing that it was thought expedient by Parliament to abolish the tolls, can you suggest any practicable way of providing for the repairs of the roads?—I cannot suggest any practicable way of doing so with fairness; I think that the only fair way would be to throw it on the Consolidated Fund, and then you would have it all to pay instead of assessing it, as it would be otherwise on a particular class of property. That, of course, is impracticable; but I think that is the only fair mode of arriving at a general fund for the repairs of roads.

1976. Mr. *Sclater Booth.*] You recognise, I suppose, the great distinction which there is between such districts as yours, where there are large towns which are very close together, and other districts such as those in the South of England, where there are no such towns, or at least very few of them?—There must, of course, be a very wide difference.

1977. So that the difficulties which would arise in Lancashire might not apply in the counties of Sussex or Surrey?—Quite so; you might there have one surveyor to take a very extensive tract of road, which it would be impracticable for him to take in Lancashire.

1978. Mr. *Legh.*] There is a very large district in Lancashire, is there not, which is strictly agricultural; they would object most strongly to all those debts and expenses of repairing the roads being thrown upon them?—No doubt of it. There is a very large agricultural district, irrespective of the towns, and there would be unquestionably a very great dissatisfaction; in fact, the estimate for repairs in the paper I have before me is 3,532 *l.* for the current year, irrespective of all costs of managing. It is quite natural to suppose that the agricultural districts in Lancashire would object very strongly to be assessed towards the payment of that amount.

1979. I suppose that some of the land near Saddleworth is hilly and poor land?—Very poor.

1980. Suppose a farm is seven or eight or ten miles from a town, and is up in the hills, does it derive any benefit from the town?—No, I should think not; in fact, it is rather an injury than an improvement.

1981. The people would hardly be able to stand the rate that would probably be levied upon them?—I think not.

1982. Mr. *Western.*] I think you said that, in that case, it would cause the highest dissatisfaction to levy a county rate?—Yes.

1983. Has the case ever been mooted in your district?—No; but we hear of it in another way, for there are great criticisms about the county rate; people do not understand it, and it is in itself rather an unsatisfactory thing.

1984. Lancashire is a very wealthy county, is it not?—Yes.

1985. Do you think that if a rate were assessed at the Quarter Sessions, there would be very great opposition to it?—If it were merely the wealthy persons that had to pay it, it would be a different thing; but when you take the poorer districts, I mean the agricultural districts, the case is altered.

1986. You said that your surveyor was paid 200 *l.*

H. W. Littler, Esq.

2 May 1864.

200 *l.* a year for 19 miles of road, I think?—Yes.

1987. Does not that seem to you an enormous remuneration for it?—No.

1988. What are the duties of your surveyor; does he buy the stone?—Yes.

1989. And he regulates the labour, does he?—Yes.

1990. And keeps the labour accounts?—Yes.

1991. How many horses does he keep?—The work is done by team-labour; he is not allowed to have a riding-horse; he had a horse and gig before, but it was thought better that he should walk, and he has to be over one or another portion of the road once a day, and that is very likely where he has gangs of men working.

1992. In fact, he gives up the whole of his time to his business?—Entirely.

1993. Do you think that there is much fraud among your collectors?—I do not think that there is.

1994. You stated that the trustees had taken the tolls in hand themselves?—Yes; and if there is the slightest ground for suspicion, they remove a man from one gate to another.

1995. You think the trustees attend sufficiently to the matter to be tolerably certain that there is no fraud?—Yes; I do not think there is much, if any, fraud.

1996. Do you think there is much evasion of the gates; are there any by-roads by which parties can go round and avoid the tollbars?—I think not.

1997. In what state are the roads?—Excellent.

1998. Did I understand you to say that you were not paying off any of the debt?—On the Manchester and Oldham Road the debt in 1836 was close on 52,000 *l.*, but at present the amount is 6,456 *l.*; so that we have paid off 45,500 *l.*

1999. In how many years?—In 27 years.

2000. One of the witnesses before this Committee has stated that it might be advisable to put the maintenance of the roads on the county, and leave the tollgates standing for the purpose of paying off the debt; what is your opinion of that proposition?—I think that has the same unfairness in it as the other proposition, only reduced in degree; I do not think it is fair to lay the repairs of the roads on the county rates.

2001. But is not it the general feeling throughout the country, in your opinion, that it is expedient, if possible, to get rid of the tollgates?—I do not think so, except that there is an objection to paying any tax whatever.

2002. You do not think people care about being stopped at tollgates?—Not much. I can mention the case of a friend of my own who has taken a very active part in getting the tollbars removed in the neighbourhood of Manchester. He made out a great case of grievance from the stoppage of his gig every time; I told him that he had better not rest his case on that, because when the collector knows a man he will let him pass through, and take the money once a week or so, upon which my friend candidly admitted that the case was really one of pounds, shillings, and pence.

2003. What did you state was the cost per mile of keeping up the roads in that district?—The amounts vary; on the great road between Oldham and Manchester it is 400 *l.* a mile.

2004. Colonel *Hussey Packe.*] I think your trust is principally composed of towns; it is almost all towns, is it not, for four or five miles on the road from Oldham towards Manchester?—Of course it is built upon towards the towns.

2005. Do you not think that those opulent people who have mills and houses and property on a road which has become so valuble by being built upon ought to pay for the repair of the road, just as the street in a town is thrown on the inhabitants?—I do not exactly understand the question; if you mean that the ratepayers of a township through which the road passes should repair the road, I say no. I mentioned Failsworth as one of those townships: there would be, perhaps, one or two manufacturers in that township, but I think not more; there would he houses lining the road, but, with that exception, it is agricultural land.

2006. Do you think that it is a fair thing to put up a turnpike in a town in order to levy tolls to repair the streets, because all those roads are used principally by the inhabitants, who use those mills, for instance, at Oldham, and so on?—The objection always raised to having a tollbar put up in a town is that of stopping the intercommunication, but that applies to the town itself.

2007. *Chairman.*] You stated, I believe, with regard to Failsworth, that the rateable value there was 15 *l.* an acre?—Yes. That is not the value of the agricultural land, I mean that it embraces the whole of it; but there are buildings along the line of the road.

2008. What is the agricultural land of Failsworth worth merely as agricultural land?—I should have a difficulty in answering the question; it might go up as high as 5 *l.* an acre.

2009. For agricultural purposes?—Yes.

2010. Is that grass land?—Yes, accommodation land.

2011. But I speak merely of the agricultural value, without regard to the town?—I could not answer that question.

2012. In fact, the value is very much enhanced by the vicinity of the town, whether you call it accommodation land or anything else?—The land would be let there at a higher rate than in the remote parts of Lancashire.

2013. That is in consequence of the presence of those towns?—Yes.

2014. Would there be any great injustice in putting the repair of the roads on those parts, do you think?—Yes; because they do not use them.

2015. Is not their property benefited by the road?—Yes, but in a very remote degree.

2016. And they have good roads, have they not?—Yes; but they do not use them.

2017. You stated that if the tolls were taken off the highways would be disused, and that the turnpike roads would be used instead, did you not?—That was in the particular district of Standidge. There being turnpike roads there, if the turnpikes were removed, the traffic would have been brought on from the other roads.

2018. Then the other roads would be less used?—Yes.

2019. And the ratepayer would benefit by that, though of course he would have lost in the other way?—No; because the ratepayers, as a class, do not use the roads in any material degree.

2020. But they use some road of course?—They use some road, it is true; they use the highway.

2021. I understood you to say that they would

d cease to use the highway, and would use urnpike road, in this particular instance?— not the inhabitants. What I meant was, the general traffic which would pass through district would use the good road without a and avoid that road which had a bar on it.

022. You were speaking merely of a tolled as against an untolled road?—Yes.

023. Colonel *Pennant.*] With regard to that t which you were speaking of where the ry of the surveyor was 200*l.*, is that an old under which you are now working, or is it a ewed Act?—It has four years to run.

024. Has it ever been renewed by Parliament in the last 14 or 15 years?—No; it has not n before Parliament.

025. *Chairman.*] Supposing that you could fairly at the pockets of these great towns to e them for the repairs of the road, would it not better to do it in that way than by toll-gates? There is one great objection to that with respect the constitution of the Board, who have the pensing of the money.

026. But I speak merely with regard to the tice of the thing; supposing that you could a proper Board, and a fair rate on the towns, uld you not think that the removal of a toll- e would be the removal of an obstruction?— , I think not of any consequence.

027. You said that when the toll-keeper knows nan, he sometimes takes the toll once a week? Yes.

028. What happens when the toll-keeper does t know you?—Then he takes the money every ne.

029. Is not that an impediment?—I do not nsider it an impediment.

030. Then why did you suggest that to your end?—That was merely to show the fallacy of s own argument, and that he was not putting rward the real reason, which was the cost. I ay add, that he told me just before I came up re, that he almost wished that he had had thing to do with removing the bar, and that the ad was infinitely worse now that it is repaired the district.

031. Mr. *Western.*] Did you say that the ighway Act was likely to be carried out gene- lly in your county?—No, I think that it would impracticable to carry it out in my neigh- urhood from the number of local Boards that e have.

032. Supposing that the Highway Act was kely to be carried out, do you not think that the perience of the staff of workmen who are now nployed on turnpike trusts would considerably sist the carrying out of the Highway Act, and ereby lessen the expenses?—You mean putting e turnpike trusts with the districts?

033. Yes?—Taking this trust that I speak of, do not think it would bear the additional rden of another district. I think that the staff surveyors and all the rest could not do more an they do at present.

034. Could they not work both the Highway ct and the other?—No; I feel no doubt about at.

035. Is not it possible that the same staff uld be transferred from the Turnpike Trust the Highway Board?—No; because the Turn- ke Trust still must be maintained.

036. Mr. *Fenwick.*] I understood you to say at you objected to the removal of the tolls on 0.56. this Trust, because at present the roads are really repaired by the inhabitants of the towns at their termini?—The roads are repaired by those who use them, it may be at those towns or elsewhere; but it is simply that those who do use the roads pay for them.

H. W. Lutter, Esq.

2 May 1864.

2037. Who, in your opinion, are the persons who mainly use the road?—It is the manufacturers and the tradespeople; the carriers use the road very much, and they would not pay anything commensurate in the shape of rates.

2038. Carriers live somewhere; but, in the main, are the persons who reside in the towns or in the county districts the persons who pay the tolls?—The manufacturers would live in the town principally.

2039. So that at present the residents in the towns, in fact, now repair the roads between them?—No; only those residents who use the roads.

2040. But they are the residents, the ratepayers in the towns?—They may not be residents, and still they may have places of business in or about the towns.

2041. So that the ratepayers of the towns now pay for the repairs of the roads?—The ratepayers who use the roads pay for the repairs.

2042. And they also pay for the repairs of their own streets within the town, as ratepayers, do they not?—Yes; if they were rated for their own district that would be so.

2043. Can you give the Committee any reasons, founded on principle, why the ratepayers in the towns should not only repair their own streets but also repair the roads beyond their own towns, while the ratepayers of the county are not called upon to do so?—I think that there would be a very great difficulty, with respect to the inhabitants of the towns, in assessing them fairly for the repair of the roads branching out from the towns. I do not know how it could fairly be assessed.

2044. *Chairman.*] But do you think it fair that they should repair their own streets and the roads also?—I think that it is quite fair.

2045. On what principle do you consider that it is fair?—On the general principle with regard to turnpike roads; they only contribute so much towards those turnpike roads as they use them; and, with regard to the use of the streets in their own town, that is assessed, as a matter of course, on the ratepayers generally, of whom they happen to form a part. Where they have such an amount of business as there is in a town, it would be impossible to have turnpikes, or you would have a turnpike in every street; and therefore the roads must be repaired by rates. It is to be assumed that they use the streets in the towns, and pay for them by rates; and they use the roads out of the towns, and pay for them by turnpikes.

2046. Mr. *Fenwick.*] Is it not the case in a town that some of the ratepayers use the streets of the town, to the wear and tear of the streets, much more than others, and yet they may not be rated, or may not be rated according to the value of their property; must there not necessarily be some inequality?—Yes; of course it would be beyond the wisdom of man to devise anything perfectly equal.

2047. Was that road between the two towns which you mentioned a new road, or was it an improvement of an already existing road?—The

H. W. Littler, Esq

2 May 1864.

original Act of the Trust was passed in the time of George II. I mean the Manchester and Oldham Road Trust, and the trust would have been improved from time to time.

2048. That was an existing highway at the time, I suppose?—It seems to have been made originally about that date, and then there have been successive Acts of Parliament for improvements and branches.

2049. Do you think that that road of itself has increased the value of the land through which it passes, irrespective of the towns?—No; I should say that it would be the increase of the towns that would improve a district.

2050. You think that a good road is not an improvement to the agricultural value of the land through which it passes?—If the agricultural district requires it, it must be an improvement.

2051. Do you think it is unreasonable they should be called upon to pay for the re of the roads, if the property is improved?- they require it, I do not think it is unreasona but in this district they do not require it, an believe that in very few agricultural distr they do require anything more than a com highway.

2052. But I understood you to say that land is worth 15*l.* per acre?—That seems to the total average value.

2053. Is that the average of the whole of land?—Yes.

2054. And you think that is due to the vicin of the two large towns which you have m tioned?—Yes.

Jovis, 5° die Maii, 1864.

MEMBERS PRESENT:

Mr. Alcock.	Sir William Jolliffe.
Mr. Baring.	Mr. William Legh.
Colonel Bartelott.	Colonel Hussey Packe.
Mr. Clive.	Colonel Pennant.
Mr. Dodson.	Mr. Walter.
Mr. Fenwick.	Mr. Western.
Colonel French.	Mr. Wrightson.
Lord Henley.	

GEORGE CLIVE, Esq., in the Chair.

WILLIAM FERRAND, Esq., a Member of the House; Examined.

W. Ferrand, Esq., M.P. 5 May 1864.

2055. *Chairman.*] You wish to be examined ore this Committee, I believe?—Yes.

2056. Will you state to the Committee what u desire to communicate to them?—I have n requested by several of the people residing my own neighbourhood, to make a statement ore this Committee relating to the roads in parish of Bingley where I reside; the parish Bingley is a district which lies between the ge manufacturing towns of Bradford and ighly, the distance between the two towns is miles; the length of the parish of Bingley on t road is five miles, or one-half. The traffic ween those two towns passing over those five es of road is of very great amount, especially heavy materials, such as wool; I believe I y state that the whole of the wool consumed the town of Keighley, or nearly the whole of s purchased in the town of Bradford, and the nufactures find it to their interest to convey s wool in waggons between the two towns on turnpike road, instead of by railway. The pense of loading, and reloading, and conveying railway, being far more than the expense of nveying it on the high road in waggons. The ol is manufactured into piece goods, and they conveyed in waggons to Bradford, and the wagns generally load back with wool: there is also a ry large quantity of heavy machinery conveyed the high road from the different machine manuturers; and besides that, I may mention, being rural district, the inhabitants of Bradford ring the summer months to a very great extent, d to a considerable extent in the winter months, ake this road a pleasure road; they come along in carriages in large numbers, and also on rseback. Besides those five miles of turnpike ad between Bradford and Keighley, there are ree miles of turnpike road between the large anufacturing towns of Keighley and Halifax, nich three miles of road run up to a considerable tent on the borders of the parish within 100 rds, or half-a-mile at the most, for about two les of the three miles adjoining to the parish Keighley. There is also a large manufacturing wn called Haworth in the parish of Bradford, d there is considerable traffic on the high road tween Haworth and Keighley, and the Haorth people of course would pay nothing towards the two miles of road that they use in the parish of Bingley, if the turnpike was taken off adjoining to the town of Keighley. There is also a considerable manufacturing village called Denholme, which is about four miles from Keighley, and they pass over those three miles of road; Denholme is in the parish of Bradford also. Halifax is a large parish by itself. We have in the parish of Bingley 47¾ miles of township roads at the present time.

2057. Do you mean by township roads, highways?—We call them township roads, roads without any turnpike.

2058. Colonel *Pennant.*] Township highways?—Township highways.

2059. Lord *Henley.*] Do you mean highways managed under separate local Acts?—No; the repairs are made by a highway-rate. We have two townships in the parish of Bingley. The cost of the repairs in the year 1863 of the 47¾ miles was 752*l.* 19*s.* We have just appointed a new surveyor, who is to have the management and control of the whole of those roads, and the estimate delivered in by him for the repair of those roads is 1,000*l.* a-year; that is considered enough to keep them in good repair. There are 10 miles of turnpike roads between Bradford and Keighley, and the cost of the repairs in 1862 was 1,527*l.* I should state to the Committee that in 1862 there were some hollows in the road that were filled up in several places, and therefore the amount paid for the repair was larger than in the following year; in the year 1863 the cost of the repair was 1,193*l.* for the 10 miles, but I am told that the surveyor of the road says that he can state pretty confidently that the average cost hereafter will be 100*l.* a-mile; that will be 1,000*l.* a-year for the 10 miles. I have stated to the Committee already that five miles out of the 10 miles are in the parish of Bingley. There are three turnpikes on the whole of the 10 miles, two in the parish of Bingley; the amount of revenue received from those two tolls in the year 1862 was 1,746*l.*, and in the year 1863 it was 1,912*l.* The turnpike road from Keighley to Halifax passes for three miles through the township of Bingley, and the cost of the repairs of those three miles amounts to about 450*l.* a year, that is 150*l.* a-mile. Then the

W Ferrand, Esq., M.P.

5 May 1864.

rateable property in the parish of Bingley amounts to 40,000 *l.* annually.

2060. How many acres are there in the parish of Bingley?—I do not know the number of acres.

2061. Colonel *Pennant.*] Is it not the fact that the Bingley parish includes a very large extent of moorland upon the hills?—It does; we are inclosing some of the moorland.

2062. All that portion of the land is of a low rateable value, is it not?—Very little money comes in from it. I have an allotment of 350 acres, and they called upon me last week to pay 4*s.* 8*d.* rate for it. I wish to state to the Committee that in the year 1854 the poor-rates of the parish of Bingley amounted to 4*s.* in the pound; that was during a period of manufacturing distress, and my steward made a calculation at the time with regard to the amount of money which I and my tenants in the township of Bingley alone paid; it amounted to about 1,000*l.*; and out of the whole of that sum of 1,000*l.* no person connected with my property received relief to the extent of 10*l.*, so that my tenants in the year 1854 paid, for the relief chiefly of the manufacturing population unconnected with my property, no less than 1,000*l.*

2063. *Chairman.*] That has no reference to turnpike roads, has it?—No; but I was going to point out what a serious effect it would have on the farming interest in the parish, if we are called upon to pay towards the maintenance of those eight miles of road anything beyond our present expenses. Our average poor-rates is 2*s.* 6*d.* in the pound, and it is not unusual for it to be 3*s.* in the pound. I may also add, that I believe never more than 10*l.* of this poor-rate is annually expended on any person connected with my property. Besides this, in 1854 I believe that the income-tax was 16*d.* in the pound. Then there is the Bingley Improvement Act rate, which is sometimes from about 8*d.* to 1*s.* in the pound. Then we have tithes and church-rates besides. Towards the repair of those 47 miles of highway I have myself to pay 112*l.* a-year out of my own pocket. I repair 2½ miles of it. The family of the Ferrands in 1713 gave the public leave to pass over it, placing stones at each end of the road, stating that it was their own private property with respect to the soil, and until the passing of Mr. Hume's Act in 1832 or 1833 they might have obtained an Act of Parliament to erect tolls on the road; but now the traffic is very great indeed, and continually increasing, and I have to repair the road out of my own private pocket.

2064. Colonel *French.*] Have you not power to close the road?—None at all; of course if I was to come to Parliament for a Bill to erect a tollbar I should have the manufacturers, who pay nothing, coming to oppose it.

2065. Colonel *Pennant.*] The user of the road by the public prevents your considering it private property, and your having done the repairs for so many years at your own cost would now prevent your throwing them on the parish?—So I was advised.

2066. Lord *Henley.*] Then the fact is, that the repair of this road would seem to be a permanent burden on the whole of your property?—Yes; the tenants repair some of it, and charge me with the amount, which they deduct from the rents.

2067. If you sold that road, the amount of the repairs would be deducted from what you would receive?—Yes.

2068. Mr. *Wrightson.*] It is a *ratione tenuræ* road, and the repair falls on you instead of t township you live in?—Yes.

2069. *Chairman.*] Does this particular rep fall on the parish at large or on your estate particular?—It falls on my pocket; it is levied on the estate.

2070. Do you mean that it falls on you a ratepayer in the parish?—No, as owner of t property.

2071. Colonel *Pennant.*] Do you hold the la with a legal obligation to repair the road?—Wh ever purchased that property would have to ke up the road, because the public have a right user.

2072. *Chairman.*] Do not you think you h a very improvident ancestor?—I really do n know.

2073. Sir *William Joliffe.*] That depends whether your property was very much improv or not?—Whoever can make good roads can i prove his property; at the time that this ro was made I do not believe that a dozen carts week passed over it; now there are hundreds.

2074. It is but fair to give your ancestor cred for thinking that it would improve his property —In former days the public would have had go round two miles, and, I suppose, the famil out of kindness or some other motive, made th road.

2075. *Chairman.*] You think that it wou have been better if they had put a toll on it?- It would have been more just, because the to would have repaired it.

2076. How many acres are there in the pari of Bingley?—I have not got the number acres.

2077. What acreage is your estate there?- Taking it altogether, including waste lands a woods, my estate, I should say, is 3,000 or 4,0 acres; then I have a good deal of moorland.

2078. But what amount of acreage have you agricultural land?—I cannot state now positivel

2079. What is the average value of the la per acre for rent?—About 37*s.* or 38*s.*; that arable land.

2080, What is the moorland worth per acr —It is worth very little.

2081. A few shillings, perhaps?—Some of is; but it is inclosed, and the cost of the inclosu is more than the rent you get for it.

2082. Is that land affected by the vicinity the town in any way?—I should say it is to certain extent; with regard to milk, for instanc Milk used, before the railways came into n neighbourhood, to be 2*d.* a quart, and now y cannot get more than 1½*d.* for it during the wh of the winter. It comes by railway out of th district of Craven.

2083. You mean to state to the Committ that the railway has decreased the value of th property?—We do not sell our agricultural pr duce for one farthing more than people do livi in an agricultural district 50 or 100 miles off.

2084. Therefore the vicinity of that market is advantage to you?—I think not. Instead of bei an advantage, I believe that it is a disadvantag and I should be very glad, so far as my ow pocket went, if there was not a mill within miles.

2085. Colonel *Hussey Packe.*] Have you so any land for building purposes?—Yes, I ha sold land on two or three occasions in the town Bingley. I sold a piece of land in the best pa of Bingley for a guinea a-yard; that was a extraordinar

extraordinary price, but that price was given by a man who wanted to commence a tailor's shop. I believe that Mr. Fox is selling land in the immediate neighbourhood of Bingley at 2 *s.* 6 *d.* to 3 *s.* a-yard, and I have a piece of land near his land that I have been offered 4 *s.* 6 *d.* a yard for.

2086. *Chairman.*] What would that be an acre; that is 1,000 *l.* an acre, is it not?—It might be.

2087. The agricultural value of that land would be about 50 *l.* or 60 *l.* an acre?—That depends on circumstances and the locality of it.

2088. Assuming that there were no town of Bingley in existence, your land would be worth 2 *l.* an acre, would it?—There is some land that is worth 3 *l.*, and some that is not worth 2 *l.*

2089. Taking it at 3 *l.*, that would be 90 *l.* an acre at 30 years' purchase?—I should say that the average price of the land in the parish of Bingley is 50 *l.* an acre.

2090. Mr. *Western.*] Is the moorland valuable in any way?—Some of it is valuable, but a very large portion of it is not valuable at all, except for grouse shooting.

2091. Is any of it fit for grazing purposes?—It is pastured with sheep.

2092. How near the town is that?—It is about a mile from town.

2093. Is it a sandy soil?—Yes, it is a sandy neighbourhood.

2094. Could that land be built upon in any way?—It is worth building upon if it is worth cultivating.

2095. Is it worth cultivation at all?—Yes, some part of it is worth cultivating; we are enclosing land now which was Mr. Lane Fox's.

2096. But if anybody came there with capital, would not that land be convertible for agricultural purposes?—Yes; but we have a very great difficulty in getting people to come into the neighbourhood to get their living by farming.

2097. Which is the most likely, that you could sell it for building purposes, or for agricultural purposes?—It is a manufacturing district; and people who build for the working classes, of course build near the towns on account of the mills.

2098. It is within a mile of the town, you say?—Yes.

2099. Then it must be valuable for building purposes, must it not?—It is an exposed district.

2100. Is Bingley increasing in population?—Yes.

2101. Then that part might come in eventually as part of the town?—The moorland is on the high hills and out of the way, but the villa residences no doubt will increase in the neighbourhood, and they are increasing at the present time.

2102. Colonel *Hussey Packe.*] But your property must increase very much in value, must it not?—It will do eventually.

2103. Do you not let your land out for accommodation land for these residences?—It is a very extraordinary thing that I cannot do that; I have tried it several times.

2104. Do not gentlemen who like to keep a cow or a horse want eight or ten acres of land?—We have not many houses of that description in our neighbourhood; the gentlemen who are engaged in the trade of Bradford wish to come into the country more for rest and recreation than to employ themselves in farming.

2105. They like to keep at least a cow, do they not?—Some of them do, of course.

2106. Sir *William Jolliffe.*] You said that there were eight miles of turnpike road in your parish?—In the parish.

2107. And that the rates which would be necessary to keep that eight miles in repair, supposing them to be thrown on your township, would be nearly one-third more than the present rate?—The calculation is that the eight miles would cost 800 *l.*

2108. Whereas the estimate for the repairs of your highways is now 1000 *l* ?—It will be 1000 *l.* under the new surveyor, according to the estimate; but my impression is that, with other expenses, it is more likely to be 1,000 *l.* than 800 *l.*; what I say is, that that was the estimate which was delivered in to me.

2109. Therefore you and the people of your neighbourhood think that it would be a very great hardship if the turnpike gates were done away with, and they were obliged to keep those turnpike roads in repair, in addition to the highways to be used by the manufacturing towns?—I believe that you would scarcely find a person in the parish who would not be opposed to the removal of the turnpikes. For this turnpike road between Bradford and Keighley, I have got an account of the annual expenditure here; it is signed by John Brigg, the Chairman of the Board of Trustees; he is the chief manufacturer in Keighley, and has been a trustee on the road for a great many years, and has taken all the means in his power to keep the turnpike on the road as an act of justice to the public. This was delivered to me by Mr. Murgatroyd, who lives in my parish, who has been Mayor of Bradford once or twice; he is largely engaged in trade, and he is strongly opposed to the removal of the turnpikes.

2110. Has the traffic on the highways within your parish, that is to say, on the township roads, very much increased of late years?—Yes, of course it has in some parts, and in others not.

2111. And some of those roads, I suppose, are used almost as much as the turnpike roads?—No; the traffic on the turnpike road between Bradford and Keighley is extraodinary, and it is more striking on account of the railway being between the two towns.

2112. I suppose that the railways have made a great alteration in many parts of the country, and throw a large portion of the traffic on the highways?—Yes.

2113. But you say that in your neighbourhood the turnpike roads are more used than the highways?—One reason here is, that the road leads into a mountainous district, where there are a good many manufacturing villages; they come down to the railway for goods, and carry them up through my property over the hill.

2114. Therefore, that road which you must keep in repair has increased in traffic very much of late years?—Yes.

2115. Do you attribute that to the railway station?—No doubt of it; there are two manufacturing villages in my neighbourhood beyond my property, and their inhabitants pass through my property to the railway station; I have stated to the Committee that the annual rental of the parish is 40,000 *l.*; we pay rates upon that.

2116. *Chairman.*] What is the acreage?—I think the acreage is somewhere between 6,000 and 7,000 acres.

2117. That would be 6 *l.* an acre, taking it all round?—But you must recollect that those rates

W. Ferrand, Esq., M.P.

5 May 1864.

are paid on mills, and houses, as well as land; I am not certain whether that 7,000 acres is arable and enclosed land, or connected with the waste land; but I think it must be.

2118. Will you kindly state the exact acreage?—Now, supposing that we had an income tax of 1 *s.* in the pound, and poor-rates of 2 *s.* 6 *d.* in the pound, and a highway-rate at 6 *d.* in the pound, that would amount on the whole property of the parish to 8,000 *l.* a-year; but if we had a poor-rate of 4 *s.* in the pound, and if we had a great depression of trade (which is expected next year) then, in all probability, we should have one-half, or two-thirds of the mills in the parish of Bingley running half-time, or some perhaps two-thirds, and some stopped entirely; then the people are thrown on the poors'-rates; the mill owners give them notice on Saturday night, that they must not come to work on the Monday morning, and it is not unusual to see, on the following Wednesday, hundreds and hundreds of people who have not saved a halfpenny, flocking to the Board of Guardians, and insisting upon relief; and then the farmers have to pay those heavy burdens.

2119. But still there is some advantage in good years from the vicinity of a manufacturing population?—Not so much as you would expect. I am astonished that there is not more, but there is such a competition that literally they rule the prices. They say to the farmers, "Let us have milk at 1½ *d.* a-quart, or we will not buy it." Then, if the farmers refuse, they are looked upon as black sheep; there is, of course, not much profit at 1½ *d.* a-quart for milk in the winter months.

2120. You think that they combine to keep down the prices?—They do combine to keep down the prices in a most extraordinary manner.

2121. Mr. *Wrightson.*] In those eight miles of turnpike road, how many gates are there?—There are three gates.

2122. Are they all paying gates?—We pay at all the three gates; at one gate they charge 10 *d.* for a pair of horses and a carriage; and at the two other gates they charge 7 *d.* each.

2123. Sir *William Jolliffe.*] I think you said that, in your opinion, lands within five or six or ten miles of large manufacturing towns did not improve it in value to a greater extent than lands 40 or 50 miles away?—They decrease in value rather, because if a farmer comes to me to take a farm, and I say 2 *l.* an acre is to be the rent, he says, "Look at the poor-rates and highway-rates; and suppose that there should be a bad trade;" all those things are calculated by the farmers.

2124. And then the means of communication afforded by railways make the land 40 or 50 miles away as available for supplying agricultural produce, as that which is within 10 miles?—Decidedly so; potatoes are now selling in the parish of Bingley at the same price as in an agricultural district 40 miles or a 100 miles away; the price of potatoes per pack is only 5 *s.*

2125. So that when you get beyond the small district which is benefited by becoming desirable for building sites, the benefit from the nearness of the towns ceases to be different from that which a more extended area of 60 or 70 miles would feel?—Entirely. Our union adjoins the Skipton Union, and at the time that I was paying 3 *s.* in the pound poor-rate on my property in Bingley, I was informed, on good authority, that Sir Charles Tempest, living in the adjoining union, paid 3 *d.* in the pound; and I believe that it is the fact, on account of one being an agricultural union, and the other being a manufacturing union.

2126. Colonel *French.*] You mean to say that there was a very great improvement in the value of the land which was so close to the towns as to be suitable for building?—Yes.

2127. But you do not consider that that increase of value extends beyond where the land can be let for building purposes?—Decidedly not.

2128. In short, there is a kind of monopoly destroyed by the railroad communication, such as the supply of vegetables to a town, and things that can get fancy prices; the railway bringing near a wider district for that sort of supply?—Quite so.

2129. Now, to return to your private road; the roads in England are kept up, some by turnpike trusts and some by highway rates, and there is a species of road called *ratione tenuræ* roads, that is to say, by the same holding by which you hold the land you are saddled with the necessity of keeping up certain roads; is it under that head that this private road, which you have referred to, comes?—No, not at all.

2130. This road was made at the expense of an ancestor of yours?—Yes.

2131. And I suppose that he preserved the right of keeping it as private property by obstructing the passage now and then?—Whether that was done in ancient days I cannot say, but in my own recollection nothing of the kind has ever occurred; my ancestor put a stone at each end of the road, buried in the wall, on which was written, "The soil and ground of this road belong to Benjamin Ferrand, 1713."

2132. Colonel *Hussey Packe.*] But he took no toll?—No, he took no toll.

2133. Colonel *French.*] But I suppose that he used his power, or kept up his power of stopping the traffic for one day in the year?—I have not the slightest knowledge of that.

2134. In fact, the public, either by the laches or by the wish of your family, have got the right of way?—Yes.

2135. But what right have they to get the road kept in repair by you?—Because by law they must be kept in good repair, and if I was to let that road get so much out of repair as to be worse than any other part of the highway road in the parish, they then would present it at the sessions.

2136. They would present it at the sessions, but how could they present it against your property individually, and not on the entire parish?—Because the family of the Ferrands have always repaired the road and kept it in repair, and they have become answerable to the parish.

2137. There is other land in the parish that you are not owners of, I suppose?—Yes; there is considerable land in the parish that I am not owner of.

2138. Lord *Henley.*] With regard to the 800 *l.* which you mentioned as the amount which would be thrown on the rates if the turnpikes were abolished, would all that sum be for the repair of the road, or would any part of it be for the interest of the debt?—That would be for repairs; the debt on the Bradford and Keighley turnpike road is 1,425 *l.* for the whole 10 miles.

2139. But you stated that the additional payment

ment by the parish for repars, which would be necessary in that case, would be 800 *l.*?—Yes.

2140. Is that entirely for repairs?—Entirely for repairs; my impression is that it would cost more than that.

2141. That does not take in anything for the interest of the debt at all?—No.

2142. But do not the inhabitants of the parish pay a considerable sum towards the repairs of the roads now in tolls?—Whenever they pass through the turnpike they do, of course; but I suppose that the inhabitants of Bradford and Keighley would pay four times as much as the inhabitants of the parish of Bingley, or far more than that. The town of Bingley has a railway station, and a great many people passing to Bradford who formerly went in gigs and carriages now use the line.

2143. Mr. *Walter.*] Now, supposing that Bradford and Keighley were included in any district which was formed for the repair of this road, would your objection to the removal of the turnpikes diappear?—It would be a more just arrangement that you should have a large district, to include towns like Bradford and Keighley.

2144. But do you not think that a district might be made on some equitable principle, and sufficiently large to represent the general amount of traffic using that road, so as to get rid of the nuisance of the tolls?—My impression is that we ought to have both a national poors'-rate and a national repair of the roads.

2145. You have no wish to keep up the turnpikes for their own sake, provided you could form a district sufficiently large to meet the expense without throwing it too much on particular districts?—I should be quite satisfied to see the turnpikes abolished, if the parish of Bingley was not called upon to pay more than its just and due share.

2146. Mr. *Baring.*] Would you be satisfied with a union highway-rate?—I might be satisfied if it went far enough, but the agricultural unions in my neighbourhood would object to it directly. They would say that it was a very hard case that they should have to pay for a road from which they derived no benefit. There was another statement that I ought to have made to the Committee about this road; an immense quantity of stone is brought out of the adjoining parish of Bradford over those roads.

2147. Mr. *Walter.*] Do you ever drive into Bradford?—I do, perhaps, half-a-dozen times a year.

2148. Do you ever drive to Keighley?—Yes.

2149. Do you contribute anything to the expense of the repair of the road?—I pay tolls.

2150. What I mean is, do you contribute anything in the case of those towns; are there any turnpikes attached to the streets in those towns?—The streets in the towns are separate and apart from the turnpikes.

2151. Then you contribute nothing towards the keeping of the streets of Bradford in repair?—No, nor towards keeping the streets of Keighley in repair.

2152. You do not think that there is anything unjust in driving through those streets without contributing towards the repairs of them?—When I go to Bradford I generally go to the shops, and I leave a considerable sum of money behind me, and they are satisfied to receive that and to pay for the repairs of the roads themselves.

2153. Mr. *Alcock.*] You have eight miles of road in Bingley you say?—Yes.

2153*. What is the amount of the tolls received?—In 1862 they were let for 1,746 *l.*, and in 1863 they were let for 1,912 *l.*

W. Ferrand, Esq., M.P.

5 May 1864.

2154. Were they let to one man?—I think that they were let to one man, but I am not certain.

2155. You would imagine, I suppose, that he would not receive less than 700 *l.* or 800 *l.* a-year beyond that sum for his own profit?—I give you the figures which I have from the chairman.

2156. Colonel *Pennant.*] You spoke of the income from the tolls being 1,912 *l.* in 1863?—Yes.

2157. Were the tolls let to lessees?—Yes.

2158. Have you at any time within the last few years collected the tolls by the trustees?—Never, I believe.

2159. Therefore you have not had that means of ascertaining what the actual collection at the gates was?—No.

2160. Do you know what the amount is which the toll-lessee would put into his pocket over and above the 1,900 *l.* which he pays you?—No, I have never qualified as a trustee, and have, therefore, never taken an active part in the management.

2161. The tolls having amounted to 1,912 *l.*, have you at all formed in your calculation any idea how much of that toll has been derived from merchandize belonging to manufacturers and mills in the neighbourhood?—No.

2162. You have never classified the traffic in order to ascertain how much is so derivable?—No; it would be difficult to do so without employing people to take the traffic.

2163. You have given the rateable value of Bingley parish at 40,000 *l.*?—Yes.

2164. Can you at all distinguish the rateable value of the manufacturing portion as compared with the agricultural portion?—I cannot at present; but I think that that might be done if the Committee wish any person qualified to come from the parish to explain that, it might be done.

2165. Distinguishing the enclosed from the unenclosed property?—I have no doubt that after Whitsuntide a witness might be obtained to come and explain that.

2166. You could not now give any idea of the proportions?—No, except that, judging by eyesight, I should think that the greater portion of the traffic is connected with the manufacturing towns of Keighley and Bradford.

2167. Have you got a return of the expenses of management of the two trusts of ten miles and the five miles respectively?—This is a return of the one between Keighley and Bradford (*handing a paper to the Honourable Member*).

2168. I see here that the clerk's salary is 10 guineas, and the surveyor's salary 101 *l.*?—Yes.

2169. What surveyors have you?—There is one man appointed by the trustees of the road to superintend the road the whole way between Bradford and Keighley.

2170. And he is paid 100 *l.*?—I have no doubt that is it.

2171. There is no payment to the treasurer?—I believe that the gentleman who signs the paper, Mr. Brigg, is the treasurer; I cannot speak of my own knowledge.

2172. So that the salaries amount to about 112 *l.* for the clerk and the surveyor?—Yes.

2173. Can you give the amount of the salaries on the other roads?—No, I cannot.

2174. The expenditure was what?—The cost of the

W. Ferrand, Esq., M.P.

5 May 1864.

the repairs on the turnpike road between Keighley and Bradford in the year 1862 amounted to 1,527 *l.*, and in the year 1863 to 1,193 *l.* But, as I stated to the Committee, there were some hollows on the road which had to be filled up, the cost of which amounted to a considerable sum of money.

2175. Consequently, some of that expense was for improvement, and not for repair?—Just so. There is another subject connected with the manufacturing traffic, which is this, that the manufacturers now have adopted the system which they have in London, of carrying the whole of their traffic on springs, and they trot on the road most of the way, with three or four horses, with large corkings in their shoes, and the damage which they do now, compared with what they did when they travelled slowly, is something quite extraordinary.

2176. Are they narrow wheels?—Mostly; in fact I may say nearly all.

2177. Have you no restriction as to the breadth of the wheel in your district?—There was a restriction in former days, I do not know whether there is any restriction now; the trustees of the road are manufacturers, and they do the best they can for the trade.

2178. Now, in the event of the abolition of the turnpike trusts, you have already said that you think it would be a great injustice if it was thrown on the rates parochially or by townships?—I am sure that it would.

2179. But could not districts be formed over which the amount required might be spread?—To form such districts, without doing injustice, would be very difficult, because the same complaints would be made in the outlying districts that the farmers make in the parish of Bingley. Supposing that you were to add the union of Skipton, which is almost entirely agricultural, to Keighley and Bradford, they would say that it was most unjust that they should be called upon to pay for roads 30 miles off, which they never use. The union of Skipton, I believe, extends 24 miles from Skipton.

2180. Have you any towns with local improvements Acts in your neighbourhood?—Yes, they all have; Bingley has one, and it is most expensive.

2181. Under those Acts, do not they take the repairs of the turnpike-road on themselves?—No; they merely take the paving of the towns.

2182. Mr. *Alcock.*] Do you believe that the township of Bingley would object to pay on its valuation of 40,000 *l.* a-year the 1,000 *l.* or 800 *l.* a-year, which would be required to repair the roads?—I think I must be pretty near the mark when I say that we pay 1,000 *l.* out of the 40,000 *l.* now.

2183. But that would be only 6 *d.* in the pound; do you think that the people of Bingley would object to pay 6 *d.* in the pound to get rid of all those tolls?—I think so; in fact, I am sure they would.

2184. *Chairman.*] Can you suggest any mode on which the town of Bingley could be got at so as to rate them?—You could only do it by levying a highway-rate.

2185. You could do that, you think?—I think that there would be very strong opposition to it. The people of the town of Bingley say, "We have our own town, and it is a heavy expense to us."

2186. And they say that they have their own town, and that it is a heavy expense; do not they pay tolls too?—Of course they pay tolls when they use those turnpike roads.

2187. Then they pay for the country roads and the town roads too?—No, my impression is that the town of Bingley does not pay for the country roads.

2188. Do not they pay for them by tolls?—Yes, of course they pay the tolls if they use the roads, and I think that the general feeling in my part of the country is, that it is only right and proper that those who use the roads ought to pay for the use of them; but I thought your question referred to the highways.

2189. Do you think that the manufacturers are of opinion that those who use the roads ought to pay for them?—Yes.

2190. Do they not wish for the abolition of the tolls?—Mr. Brigg, the principal manufacturer of Keighley, as well as Mr. Murgatroyd of Bradford, has told me repeatedly that it would be an act of the grossest injustice to take off the tolls; he says, "You must watch well in Parliament to see that if anything occurs, the agricultural interest and the interest of the manufacturers are taken care of."

2191. Do you know Mr. Littler?—No.

2192. Mr. Littler was examined before the Committee the other day, and he informed us that the manufacturers were entirely in favour of the taking off of the tolls in order that they might escape them; do you think that that was a mistake?—I give you the names of two gentlemen who are very large manufacturers; I constantly travel in railway carriages with the manufacturers of my own neighbourhood, and we discuss different local and political questions, and I never heard a manufacturer in all my life state that he thought it would be an act of justice that the tolls should be taken off.

2193. I suppose there could be no injustice if he paid his quota in a rate?—The manufacturers of Bradford and Keighley would not pay 6 *d.*

2194. But supposing that they did, do you think that there would be any injustice?—If you could lay it fairly on the right shoulder, there would be no injustice; but those people who never used the road, and yet had to pay for it, would say that is was unjust: for instance, there are a great many farmers who do not drive a mile in a year with their horses and carts along the road.

2195. The roads you think ought to be supported entirely by those people who use them?—That is the just and proper way.

2196. Do you think that that ought to be the case all over the country?—Yes.

2197. You consider that the roads ought to be kept in repair by those who use them, and no one else?—If the nation kept the roads in repair, that would be the fair way in my own opinion.

2198. Mr. *Western.*] In fact, would you suggest that it should come out of the Consolidated Fund?—That is for Parliament to settle.

2199. *Chairman.*] Would you put the highways and all on the same footing?—What I want is to make the people pay who use the road, and who do not pay now. This road of mine lies through some pretty wood, and it is no unusual thing for me on a fine afternoon to see scores of people in gigs, and on horseback, galloping up and down the roads who do not pay 6 *d.* towards it.

2200. Colonel *Pennant.*] Do you know whether those two trusts which you have alluded to, have been

en renewed lately, or whether they are going under an old Act?—I believe that they are der an old Act.

2201. They have not been brought before rliament of late years?—No.

2202. Nor renewed by the Home Office?—I e no idea that they have been renewed by the me Office, but I am not certain.

2203. There is a debt on both those trusts, I ppose?—I believe that there must be a debt, else you could not keep the tolls on. What kes me say that is, that I have understood m the trustees that they keep the debt up on road, to enable them to keep up the bars.

2204. *Chairman.*] That they kept up the debt the purpose of enabling them to collect tolls? That it was kept up for the purpose of making se who use the roads pay for them.

2205. Colonel *Pennant.*] If the trusts were ought before Parliament under the modern stem of renewals, that could not be because the ustees would be bound to pay off the debt in a rtain time?—Yes; of course if there was an ct of Parliament to compel them.

2206. Now, after the debt was paid off, do you ink that those trusts should be consolidated so to enable them to be managed with greater conomy, but maintaining the turnpike gates?—I should doubt whether the roads could e managed with greater economy, for the trus-es are very active men of business, and they eep a very efficient surveyor to look after the en who repair the roads.

2207. But one set of trustees and one surveyor ould be able to manage two or more trusts, ould they not?—There is the greatest difficulty getting the trustees to act at all, just as with embers of the Board of Guardians in my neigh-ourhood; we cannot get the manufacturers in he county to act as guardians, their time is so recious, and the country gentlemen are being riven out of the manufacturing districts.

2208. *Chairman.*] But if you felt that the con-equence of the debt being paid off would be that he repairs would be thrown on the rates, would ou rather keep up the debt?—If it is necessary o keep up the debt in order to keep the toll-bars n the road, I should say by all means keep up he debt.

2209. Colonel *Barttelot.*] What we have heard rincipally refers to the Keighley and Bradford oad?—Yes.

2210. Now, about the Leeds, Kirkstall, and Bradford road, are there a great quantity of mills n that road?—Yes.

2211. And some agricultural districts as well?—Yes.

2212. Does an immense proportion of the raffic from those mills come by road to Brad-ord?—I believe so.

2213. Let me take you to the Low Moor-road; oes a great portion of the traffic from Low Moor o Bradford come by that road?—I should say hat the coal does; but they have a railway now.

2214. But a great deal of the intermediate raffic, I suppose, comes over that road?—That sed to be the case. I have not travelled on that oad of late years, but the traffic used to be normous.

2215. Are there a very large number of mills short distance out of Bradford on almost every oad?—Yes.

2216. And from those mills, or from those ntermediate districts, if I may use the term, the traffic comes by road still into Bradford and not by rail?—Of course.

2217. You are aware that this Committee is sitting to inquire if it be possible to abolish tolls?—Yes.

2218. Is it your opinion that in case of the tolls being abolished, and the debt being placed in some way upon the country or on the district (the parishes repairing the road), the manufacturers' interest would be assessed simply on the mills, and not on the profits of their businesses?—They would be assessed on the mills, on the horse-power.

2219. Then, I ask you whether it would be a fair thing for the agricultural interest that it should pay in proportion to the value of the land, while the millowner, using and cutting up the roads a great deal more than the farmer, would only pay in proportion to the value of his mill, and not in proportion to the value of his whole property?—I should say that that would be very unjust.

2220. Therefore you do not see how the repair of those roads could be fairly placed either on the parish or the district?—I do not.

2221. Mr. *Fenwick.*] You think that it would cause a great inequality in the assessment for the repair of the roads if they were all put on the rates?—Yes.

2222. That whereas some people would use the roads very little, they would pay in the same proportion as those who used them very much?—Yes.

2223. Is not that the case now in all the streets of the Metropolis and in every large town in England?—Of course a man pays according to the valuation of his property.

2224. In the case of a large town, the streets are used by every ratepayer?—Yes.

2225. One ratepayer may be a manufacturer using a great many horses and carts?—Yes.

2226. And another ratepayer may be a manufacturer using no horses and carts?—Yes.

2227. And yet if both of those persons, both being mill-owners or manufacturers, happened to be rated at the same amount, they would both pay to the paving rates the same amount of money?—Yes.

2228. Although one of those manufacturers used the streets very much more than the other?—That would depend on what his manufacture was; but a manufacturer who carries on a large trade is generally obliged to have carts and horses for his trade; whether they are woollen manufacturers or ironfounders, they are obliged to have carts and horses; I know of no large manufacturer who carries on his business without having horses and carts.

2229. *Chairman.*] You say you think the farmers in the near neighbourhood of manufacturing districts would complain?—Yes; in the manufacturing districts the farms are generally small farms of 20, 30, or 40 acres; the men who live upon them are men of small capital; therefore an extra rate of 6*d.* in the pound for the highway is a serious sum of money to them.

2230. It is all in proportion, is it not?—No; for instance a small farmer cannot carry on his farm as economically as a man who has a farm of 200 or 300 acres; 30 acres of land is farmed, comparatively, at a far greater expense than 200 or 300 acres.

2231. But is not that a necessary result of having small farms?—Yes.

W. Ferrand, Esq., M.P.

5 May 1864.

2232. Mr. *Walter.*] Are those farms which you allude to generally let on lease, or are they let from year to year?—I have only one lease, which is to a Bradford gentleman.

2233. If the farms are not let on lease, would not an increase of the rates come into operation in apportioning the rent?—Of course the rent would fall.

2234. Then the burden would fall on the owner, would it not?—But we have a good many small farms, of 20 acres or 30 acres, which are the property of the farmers or small freeholders; and people would say, "You must take less rent now, because there is an extra rate."

2235. It is in either case not a tenant's question, but a landlord's question, is it not?—In my own case it would be a landlord's question, but I doubt whether it would be so when you come to the small freeholders.

2236. A small freeholder is a landlord, is he not?—Yes; a person who has a large quantity of land like myself would be set upon by those poor people, who would say, "You must take it off the rent;" and very likely I should consent; but the small freeholder might hold out and get the men to put in tickets against each other, and in all probability the farm would be let at the same rent.

2237. That is a question of demand and supply, is it not?—Yes, and of competition, because whenever there is a farm to let, whatever the rates are, you can generally find plenty of people to take it.

2238. Mr. *Western.*] Do the manufacture follow agricultural pursuits much in your neigl bourhood?—I scarcely know an instance of th kind.

2239. Have they so much to do that they ca not?—They say that the profits of farming do n come in quickly enough.

2240. But one would have thought that th profits arising from manufacturing pursuits wou have enabled them to sustain a little loss on the farms?—I wish they would do it more than the do.

2241. Mr. *Walter.*] You say that, whenev there are farms in your neighbourhood to be le there are plenty of people to take them?—Ye it is quite extraordinary to see the quantity people who ruin themselves in that way.

2242. Does not that tend to keep up rents?— Yes, among the small landowners.

2243. Where does the population come fro do you know; does it come from the manufa turing towns?—I should think not.

2244. Is not that population increased by th neighbourhood of the manufacturing towns?— do not think there is an instance of a man engage in manufactures taking a farm there; they a generally a class of themselves who find their wa into the neighbourhood.

2245. Is there any particular attraction in th neighbourhood beyond its nearness to the larg towns, which you think would naturally produc that great competition for land?—I do not kno that there is.

GEORGE BURROW GREGORY, Esq., called in; and Examined.

G. B. Gregory, Esq,

2246. *Chairman.*] WHAT are you?—I am a Solicitor by profession. I am here as an owner of property at Boarzel, in Sussex.

2247. Are you acquainted with the management of more than one turnpike trust?—Yes, I have had a good deal of experience in relation to turnpike trusts, soliciting Bills for them in various Sessions of Parliament.

2248. What is your view with regard to the subject of raising revenue for the repair of roads by tolls at turnpikes?—I think it is both expensive and objectionable. I think it is oppressive to the public, because there can be no doubt that railways for through traffic have superseded turnpike roads, and that consequently the traffic on turnpike roads is now local traffic. In a great many instances we have the tolls let, and those tolls of course must be let to pay a profit to those persons who take the leases of them, therefore there is an additional tax put on the public, or rather on the district, in order to pay that profit to the collectors of those tolls.

2249. And then there are the officers?—Then there are the officers; the establishment and maintenance of the gates, and expenses of that nature, all of which must be provided for by taxing the parties using the roads.

2250. Could you give the Committee any general idea of what per-centage that amounts to?—No, it varies much; but there was an instance the other day of a northern road where, I think, the contractor offered to take the tolls at an advance of 100 *l.* a-year on what the tolls were producing to the trustees of the road, he considering that the trustees were cheated out of that sum of money by the collectors, and that he had machinery which would enable him to realis a profit on the roads.

2251. Mr. *Fenwick.*] What were the total re ceipts from that trust which you have jus referred to?—I do not know, but I had tha information from a witness who was before th Committee.

2252. *Chairman.*] Could you give the Com mittee any idea of what the revenue was?—I was only some hundreds, being but a small col lection.

2253. May we take it that it was unde 1,000*l.*?—Yes, no doubt of it; I only had i secondhand, but I have no doubt of the accu racy of that statement. The gentleman to whon I have alluded was a large omnibus contracto in the neighbourhood of Manchester, and he said "I can look after the gates, because a good dea of the traffic is in my own hands, and therefore can collect tolls which you will never get." I my own district I may say that we are oppresse with tolls; that is to say, in the neighbourhoo of Hawkhurst, Battle, and Ticehurst. My pro perty is at a distance of 15 miles from Has tings, and I think the Honourable Chairma has a letter in his hand stating, that in the 1 miles of the Flimwell and Hastings trust we hav six tolls.

2254. How many gates are there?—I thin that there are eight gates on those 17 ½ miles Those are all in one trust. I should state, per haps, that one of those tolls is a bridge-toll, bu still it all forms part of the trust. They are hig tolls, and they have the effect practically now o limiting even the local traffic; for instance, I ca go by railway to Hastings and back cheaper tha I ca

can drive there, on account of the tolls for a air of horses, which exceed the railway fare here and back. Many people who would otherwise drive seek the railway for the purpose of economy (as well, of course, as for that of speed).

2255. Mr. *Legh.*] What is your station?—The Uckfield station.

2256. Mr. *Alcock.*] What is the actual amount of the toll?—I think it is 6 *s.* as against 4 *s.* 6 *d.* for the railway fare, but I give that off-hand; I may mention that a neighbour of mine told me that his coachman brought him in his account for tolls for a fortnight, and that they amounted to 24 *s.*

2257. Mr. *Western.*] Was that for two horses?—Yes; and not a great deal of travelling, merely a little country visiting.

2258. *Chairman.*] Do you know the Hollington Trust?—No. That trust I cannot speak to; that is nearer Hastings.

2259. Do you know the length of it?—No. I should state that our road is in good condition; but the debt upon it you will find, on referring to the Report of the Home Office, amounts to about 20,000 *l.* upon the 17½ miles. I think that the last year for which the account is rendered they paid off of that debt 200 *l.*; I think that the Act of Parliament has about seven years to run.

2260. Mr. *Fenwick.*] Do you know what interest they pay on that debt?—No; but that would appear on the Report. The debt on that road is absolutely hopeless; they can pay off but a very small portion of that sum, and the value of that would be susceptible of easy calculation.

2261. Mr. *Alcock.*] What is the amount of the tolls?—I cannot tell you that.

2262. You cannot tell whether the interest on that debt was one, two, or three per cent.?—No, I cannot.

2263. Mr. *Wrightson.*] As a road which has seven years to run, it must have been before our Parliamentary Committee about 14 years ago?—Yes, that would be about it. Then I should state, in addition to that, that we drove a road at right-angles to it, upon which another series of tolls are taken under a separate trust, called the Ringmer and Lewes Road; and the effect of that is that, to go three miles to the station, we pass over two trusts and pay two tolls. That of course arises from the construction of railways having now so altered the system of turnpike roads.

2264. Mr. *Fenwick.*] Have any gates been removed in order to catch you?—Yes; they put up a new gate after the railway came.

2265. *Chairman.*] Turnpikes, you think, are an impediment to locomotion and to traffic?—They are an impediment to the traffic, and to some extent dangerous, because they are shut at night; and although there might be a light, still there is danger; in fact, a cart from my house did once run against a tollgate, and met with considerable damage.

2266. Mr. *Alcock.*] What would be the opinion of the parishes through which the road runs with regard to the abolition of the turnpikes?—I can speak for myself (I am an owner of land on both those lines of road), and I can speak for one or two of my neighbours, who, I think, would be willing that the road should be taken on the parishes, and who think that a considerable saving would be effected.

2267. What would be the general assessment on all those parishes through which the road runs; could you give the Committee any idea whether it would be 20,000 *l.* or hundreds of pounds in the course of the year?—

2268. *Chairman.*] What is your view with regard to the best mode of paying off the debts?—What I should propose is this. You are now having highway Boards established over a great portion of the country, and you will have an administration formed by means of those highway Boards, and a sufficient staff to carry them on. It appears to me that they will be the proper parties to take upon themselves the turnpike roads as well as the highways, and my view would be to give them power for that purpose; and I think that that power to be effective must be, on one side, compulsory; that is to say, that a highway Board might say to the trustees, "We will take you into our district and under our administration; from such a period your debt shall be valued." And they might either raise that by a sum in gross, or charge it on the rates of the district, according as the mortgagees might prefer. You would then have the power in one hand; you would have economy of management; you would get rid of the turnpike gates; and the parties using the road, and the parties paying for the road, would both be fairly represented by the district Boards. It would be their interest to manage the roads efficiently, and also with economy. If they are fit to be trusted with the highways, they are equally fit to be trusted with the turnpike trusts.

2269. Mr. *Fenwick.*] You would therefore propose that the payment for the repairs of a road should fall on the parishes through which it passes?—No; I should propose a district rate.

2270. Lord *Henley.*] What would you propose that the district should comprise?—The district for the highway rate would be the district.

2271. That would be an entirely new district for the rates, would it not?—Yes; for the area of the rating I would adopt the same system that you have adopted for the highway.

2272. Mr. *Alcock.*] I think what you mean to say is that each parish should pay for itself?—Yes; no doubt the other plan would be open to the objection that you would be creating a fresh area of taxation.

2273. Mr. *Fenwick.*] In the case of a turnpike road which was in more than one turnpike district, would you divide the debt according to the length of the road?—It would be almost a rule-of-three sum, because you must assume that the money has been equally expended upon the whole of the road.

2274. Mr. *Alcock.*] How would you propose to deal with the debt of 20,000 *l.* on the trust which you have referred to?—I would calculate it in this way: the trust has seven years to run, therefore there will be seven years' interest on that debt; it does pay the interest and rather more, 200 *l.* of the principal having been paid off; I think the interest is, probably, about three per cent.

2275. *Chairman.*] Are the parishes assessed for the repairs now?—No, I think not on that portion of the road, though higher up they are. Well, to resume where we left off. That seven years' interest has a market value of course; then for the last three or four years you would find out what has been the annual payment on

G. B. Gregory, Esq.

5 May 1864.

account of the debt, and you might take that as likely to be paid for the remaining seven years of the term; and therefore you could calculate that, say, 200 *l.* a-year for seven years; that would be 1,400 *l.*; the debt would be worth that, plus the interest for the seven years. I merely give this roughly, because there would be other elements to be taken into account.

2276. Supposing that 1,000 *l.* of your debt was put up at auction to-morrow, what would it fetch, do you think?—I am not on the trust, but I could ascertain that from the clerk of the trust.

2277. *Chairman.*] Will you have the goodness to supply that as nearly as you can?—

2278. Mr. *Alcock.*] I suppose that there is no hope of the debt being paid off?—I should say not the least hope. The debt on the other trust is only about 1,600 *l.*

2279. *Chairman.* Then there is a claim for renewal, is there not?—I should estimate that very low, the trust being renewed for 21 years only.

2280. Mr. *Wrightson.*] You would not value it on the principle of there being a right of renewal?—Not after you have renewed it on the new system for 21 years.

2281. Mr. *Alcock.*] You do not remember having any portion of the debt knocked off?—Not on this trust; I have on many others, and also arrears of interest.

2282. Do you mean wiped off altogether?—Yes; there have been numerous instances of that kind; and it was giving up nothing, for the case was hopeless.

2283. Mr. *Baring.*] Your proposal is that, supposing there is a trust passing through several highway districts, the highway districts might combine, and if they all agreed to take the management of the turnpike into their own hands, they might force the trust to be abolished?—Yes, just so.

2284. Therefore it would be necessary that the several highway districts should agree?—I think so. I do not think that there would be many instances in which there were more than two highway districts; highway districts are, generally, tolerably large.

2285. Would you leave it in the hands of the waywardens, or would you have parish meetings, or would you get the assent of the ratepayers?—I should consider that the highway Board fairly represented the ratepayers, and I would put it in their hands.

2286. Having obliged the Turnpike Trust to terminate, they would assume the debts and the repairs?—Yes.

2287. The debt of each being apportioned, in the first place, between the different districts, and, secondly, between the different parishes?—Yes, just so; that would be my scheme.

2288. *Chairman.*] How would you meet the case where the adjoining Boards took different views of the question?—I have not considered that sufficiently to be able to give any opinion.

2289. Mr. *Walter.*] Are those tolls all let on the Etchingham Trust, or do the trustees manage them themselves?—

2290. What do the gates cost to keep up, and what is the amount paid to each collector?—

2291. Lord *Henley.*] You would, I suppose, take some means for ascertaining what the real amount of the debt was before you handed th system over into the hands of the waywardens —Yes; we have the actual amount of the debt returned every year to the Home Office, an what I propose is to have a valuation.

2292. You have the nominal amount of th debt returned to the Home Office each year?— Yes.

2293. What you would want, then, would b the real value?—What I propose is this, that th measure of the value of the debt should be th duration of the trust.

2294. Mr. *Walter.*] That would be on th principle of a long annuity?—Yes, on the prin ciple of a long annuity.

2295. Lord *Henley.*] You would give no cred to the trust for the possibility of a renewal?— Not on those trusts which are under the ne system. I have always considered, when I hav appeared before Committees of this House, tha the renewal was a renewal once for all.

2296. Have you made any calculation at al with regard to those trusts that are within you district, as to what per-centage upon the whol receipts the expense of collection at the tol gates comes to?—No; I cannot say that I have

2297. You are aware, I suppose, that it is ver much smaller in rural districts than in suburba districts, where the amounts raised are very large —They are somewhat small, but hardly small i comparison to the amount realised, because ther must be a good deal of expense for maintenance in either case, you must have that machinery.

2298. Of course the per-centage is larger i the case of a thickly-inhabited district?—I shoul think so, because you have the same machiner for collecting a smaller sum.

2299. Colonel *Barttelot.*] How many trusts d you cross between Etchingham and Hastings —We cross two trusts; between Etchingham an Hastings, between Hurst Green and Hastings it is all one trust.

2300. You say that the tolls for a carriage-and pair are 6 *s.*?—Yes.

2301. How many gates are there?—There ar six.

2302. Do you mean on the two trusts?—No on the one trust, from Hurst Green to Has ings.

2303. Was that a very expensive road t make?—I should think it was not immoderatel expensive, but rather expensive.

2304. Have you any stone in that district wit which you can repair the road?—Yes, but it not very good stone; we have to fetch it som distance; it is Kentish rags principally, an therefore the repairs would be rather expensive.

2305. Do you think that if these trusts wer consolidated, they could be managed cheaper?— I do not think they could be managed cheape than by putting them under the highwa Board.

2306. But if the trusts were consolidated, the could be managed cheaper than they are now?— Yes; I think that anything would be better tha it is now.

2307. Do you know Brighton?—Not part cularly.

2308. I mean Brighton and Shoreham?—No.

2309. That road happens to be in two divisio of the county, and in the western division the have not adopted the Highway Act?—No, b we hope that they will do so; I know their dif culties.

2310. Mr. *Dodson.*] When you recommend that the turnpike tolls should be abolished, and the roads maintained by a highway district, are you expressing your own opinion only, or are you expressing your own opinion and that of your neighbours?—I have spoken to one or two people about it, and my neighbours find those tolls between us and the station a grievous infliction; some of my neighbours have to pay three tolls for four miles in coming from Hawkhurst. This case of the Etchingham Trust was under consideration at the Home Office the other day; and I presented a memorial, signed by my friends, Mr. Beresford Hope, Sir John Herschel, and others, praying that the evil might be mitigated in some degree; but I fear that the evil will continue.

2311. Do you propose that the road shall be maintained by a district rate, to be assessed on the parishes, as the Common Fund charges are by law?—Parochially; not according to the Common Fund principle, but in the same manner you assess for highways. I do not propose that there should be two different modes of assessment.

2312. Mr. *Wrightson.*] It would be essential to your scheme that the highway districts should be formed compulsorily, and not remain permissive, as they are now?—That is a serious question. I only contemplate working out my system where highway Boards are formed, whether you can have it compulsorily, I have some doubt; I believe that that might operate hardly in manufacturing districts.

2313. What I mean is, that you should have the highway districts to fall back upon?—Yes, you must have them for the working of my scheme; and I think that in the South of England, where you have those Boards generally, there would be no difficulty.

2314. Mr. *William Legh.*] Can you describe the traffic on this road?—The greater part of the traffic is light traffic; the local traffic is principally that of the residents from their residences to the station and visiting among each other; all the heavy traffic nearly goes by railway; the hops go by railway now, and manure comes down by railway, and lime and coal; there is only a little of that traffic to and from the station.

2315. Therefore keeping that road in repair is comparatively cheap?—I cannot say that from the cost of the material, which has to be carried 30 or 40 miles.

2316. You would like all the gates to be done away with, and the repairs to be put under the highway Board?—Yes.

2317. Now, supposing that the repairs of that road cost 400 *l.* a-mile, would a highway Board feel inclined to adopt it, and keep it in order?—£. 400 is a very large sum.

2318. But we have evidence before this Committee that one road, between Oldham and Manchester, cost 400 *l.* a-mile?—I do not apprehend that a highway Board would undertake the repairs of a road of that description; I would not make it compulsory on the highway Board; I would make it compulsory on the turnpike trusts.

2319. What would you do in a case of the kind which I have just put to you?—That must be left for the road itself to work under the toll system; I would give the highway Board the power of taking it if they liked; but I do not think that they would take it.

2320. Mr. *Dodson.*] You would give the highway Board the same power as is now possessed under the local government Act, of taking the charge of the road upon themselves if they thought well?—Yes, but I would go rather further than the powers of the local Board extend; they can only do it by arrangement with the mortgagees; but I would not give a veto to the mortgagees; I would enable the highway Board to take it upon a proper valuation; I would propose a sort of compensation clause, in fact.

2321. Mr. *William Legh.*] Is there any other road in England where you pay 6*s.* for 17 miles, do you think?—In the other direction we are caught very nearly as badly, between my residence and Tunbridge. I think it costs 4*s.* or 5*s.*

2322. Colonel *Pennant.*] Have you been acquainted very long with that county?—I have only resided in it five years.

2323. You do not know, I suppose, what state that road was in 20 years ago?—Yes, I do know, because I have made inquiries.

2324. Is it the fact that the whole of that road from Battle to Tunbridge was deep in sand?—I believe it was about 25 years ago very bad.

2325. The material of the country was nothing but soft sandstone, I believe?—That is not quite the case, because there is a good deal of ironstone; but, no doubt, the repair of the road is principally made with Kentish ragstone.

2326. And which, I suppose, is brought from a considerable distance?—Yes.

2327. The state of the road is very different from what it was 25 years ago?—Yes; it is now in very good order.

2328. And the repair, no doubt, must have been done at very considerable expense?—No doubt.

2329. Are the Committee to understand that your scheme is a permissive scheme for the districts to take those roads upon themselves, paying off the debts at a valuation?—Just so; and I think that would be materially facilitated by what has been going on for, I may say, 20 years, since that new system of the renewal of the trusts by Parliamentary Committees has come into operation, making arrangements for the liquidation of the debts?—No.

2330. You know the district about Hastings?—Yes.

3331. There are very large tracts of wood there?—Yes.

2332. Are there a great deal of timber-carriage still going on there?—It is underwood which is the growth of that country; there is not much timber cut there now.

2333. Are the old woods all cut down?—A good deal of it is; they have destroyed a great many of the trees for the iron works. I do not think that you would find much large valuable timber there now; and you will see the poles growing out from the stubs.

2334. Mr. *Fenwick.*] It is all rateable underwood, is it not?—All rateable underwood.

2335. Sir *William Jolliffe.*] You mentioned with approbation the recent system of Parliamentary inquiries into these roads?—Yes.

2336. You said that you considered the arrangement made after those inquiries were final?—Yes, I did.

2337. Do you mean that at the end of the terms so granted, you held it to be the understanding

G. B. Gregory, Esq.

5 May 1864.

standing that those roads should cease to be turnpike roads?—Yes; and in many cases it has proved so, because the interest on the debt has been calculated at such a rate as would probably leave the debt paid off at the end of the 21 years. The interest has been reduced so as to leave an amount sufficient to pay the amount of the debt if properly applied.

2338. Whether it has been thought that it would take a longer or a shorter period to pay off the debt, I suppose that the Acts of Parliament have been restricted to those periods?—Yes.

2339. Mr. *Western.*] You have expressed yourself rather strongly against the present turnpike system?—Yes; I think it is costly, extravagant, and generally unequal.

2340. Do you consider that the continuance of the turnpike system places a great difficulty in the way of carrying out the Highway Act; do you think that the general wish would be that there should be one general system of road management?—I think so; it seems to me a practical anomaly to have two conflicting jurisdictions.

2341. I understood you to say, that you think that if the Highway Act is to be the one that is adopted, the turnpike system must be abandoned?—Yes.

2342. Do you not think that it would be a great advantage for the working of the highway system, that an experienced staff of men might be drafted from the Turnpike Trusts for the purposes of carrying out the Highway Act?—Yes; I think that all that could be adopted from the turnpike system should be adopted.

2343. Should you apprehend great opposition from the ratepayers under the highway system to the abolition of turnpike trusts?—I should not expect any great opposition from that quarter; I have heard of several districts where the highway system is working very well already.

2344. Mr. *Dodson.*] Do you think that there would be any difficulty in your district?—No, there is a little feeling on the subject, perhaps; but generally the people who think the most upon the subject think the best of it.

2345. Mr. *Western.*] Do your trustees look after the trust themselves?—They wanted to put me on this Etchingham Trust, but it was qui impossible for me to attend the meetings of th trust, for they were held in the town of Lewe which is 20 miles off, and to which there is r railway communication, though it is almost be yond the extent of our roads.

2346. But you think the trustees look after th roads?—I should say that they do.

2347. In a case with which I am familiar, th trustees looking after the roads themselves hav found that the thing can be done for less tha half what it costs when left to other people?— cannot speak as to that subject.

2348. What do you give your surveyor?— am not on the trust, and cannot say; I wa obliged to decline taking office on account of th distance; I believe, indeed, that the people wh are on the road can hardly be represented on th Board of Trustees. There are three trusts consolidated in that management, and the town o Lewes is central to the others.

2349. Mr. *Fenwick.*] Do the trustees live in the district?—Yes.

2350. Do you think that there is any preponderating number of them who live in the district?—I should think so.

2351. Has the Lewes end of the trust fewer gates than the other end?—Yes; we are the heaviest in that respect.

2352. Colonel *Pennant.*] In modern Acts of Parliament, under the altered system, the trustees are inserted in a list carefully extracted from all the different portions of the county through which the road passes; is not that so?—Yes; and there is often a provision that the meetings shall be held in some more central place. That was rather the foundation of my appeal to the Home Office.

2353. Mr. *Western.*] Is there any strong feeling in your part of the country in favour of doing away with turnpike trusts, do you think?—I think so.

2354. The difficulty felt would be about the debt, I suppose?—Yes; but that is not very seriously felt.

2355. The question has been mooted, has it not?—Yes.

Lunæ, 9° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. Alcock.
Mr. Baring.
Colonel Barttelot.
Mr. Sclater Booth.
Mr. Clive.
Mr. Fenwick.
Colonel French.
Colonel Gilpin.
Lord Henley.
Sir William Jolliffe.
Col. Hussey Packe.
Colonel Pennant.
Colonel Stuart (Bedford).
Mr. Walter.
Mr. Western.

GEORGE CLIVE, Esq., IN THE CHAIR.

WILLIAM BIRD, Esq., called in; and Examined.

W. Bird, Esq.

9 May 1864.

2356. *Chairman.*] YOU are a Magistrate for the county of Middlesex?—Yes; I am a Magistrate and Deputy Lieutenant.

2357. You are, I believe, conversant with the system of turnpikes in the neighbourhood of Hammersmith?—Yes.

2358. And you wish to be examined before this Committee?—Yes.

2359. Will you state what you wish to communicate?—My object in wishing to be examined is to make this statement; during the last Session of Parliament an Act was passed for the removal of turnpike gates in the neighbourhood of London; the Hammersmith-gate on the one side, and the gate at the foot of Notting Hill, are about to be taken away on the 1st of July, when the whole of the roads in Hammersmith, and also in Fulham, will be thrown on the ratepayers. But the Commissioners of the Metropolis Roads have issued an advertisement very recently, and it was reported at the Local Board of Works at their last meeting on Wednesday, that the tolls were let for some new gates about to be placed at the western boundary of the parish: one on the road leading to Brentford and the other on the road leading to Acton. The ratepayers of Hammersmith feel that this is a great grievance; because, instead of being an abolition of the turnpike gates, it is merely a transferment of them from one part to another; and, in addition to their having to support the roads, which they will have to do, they will now have to pay a toll in order to go westward, which they have never been called upon to do, until they got to the Duke of Northumberland's, which is at the extremity of Brentford parish. The other gate on the other road was at Hayes; the ratepayers feel it a grievance that they should have a rate of 1 *s.* in the pound thrown on them for the maintenance of those roads, and then, that in addition to all that, they should be called on to pay a toll which they have never been before called upon to do. There is another grievance attached to that, because all the ratepayers feel that a line must be drawn somewhere. But they went further westward, and included the parishes of Twickenham and Teddington in the Act, which are far more westward, and which leaves merely the township of Old Brentford and the parish of Chiswick out.

2360. Which Act of Parliament do you refer to?—The Act of last year, passed in July, I believe.

2361. The gates being done away with in one part, you think that they ought to be done away with in all parts?—Yes; we should say, "Do away with the trusts altogether if we are to have such a flagrant act of injustice as this."

2362. Mr. *Western.*] You are worse off now, you think, than when you had your gates?—Yes, much worse off; we would rather have paid tolls than have to pay one shilling in the pound placed on the rates, and pay tolls besides. The parishes of Twickenham and Teddington being more westward considerably than we are, we feel that they being included in the Act, the parishes of Acton and Brentford should also have been so, which would have taken them further westward; what Mr. Laming said at the Board the other day was; this will affect also the parish of Fulham on the south side of the river; it is not within the parish; but still, the people of Fulham going over Putney Bridge could at once go into the country, and go a long distance, for instance, into Richmond Park; whereas now, from what is represented to us, bars will be placed there in order to catch them as soon as they get over Putney Bridge.

2363. Are those gates already put up?—No, they will not be placed there until the 1st of July; but it is stated that they have let the tolls and have advertised for gates and toll-houses, and that they will be placed there there is no question.

2364. *Chairman.*] Mr. Laming's objection is the same as yours, namely, that the two systems cannot go on together?—That is it.

2365. Mr. *Western.*] You think that the idea of getting rid of the tolls in the neighbourhood of London is a delusion in your case?—It is worse than a delusion; it is an imposition; it is imposing a tax which we never had before.

2366. *Chairman.*] You object to the tolls being retained in one place and not in the other?—Yes; there is a transfer of the gates, and not an abolition of them, as was contemplated.

2367. Mr. *Baring.*] You complain of the operation of the Act of last Session, I understand?—Yes.

W. Bird, Esq.

9 May 1864.

2368. Were the feelings of those on behalf of whom you speak represented at the time that the Act was passed?—I do not think that they were; I think they lost sight of it.

2369. *Chairman.*] You do not complain of the Act of last Session itself?—Certainly not.

2370. Mr. *Baring.*] The Act, as I understand it, abolished all tolls for parishes included in the Metropolitan Local Government Act, and threw the repairs of roads now free from debt, on the parishes?—Yes.

2371. Then, if you do not complain of the Act of last Session, what do you complain of?—We complain of the abuse of the Act, and of the powers given to the Commissioners of Roads for placing gates there; we contend that they have no occasion to place gates there, as they are not in debt at all; according to their own statement they take credit to themselves for clearing off the debt from time to time.

2372. The debt being abolished, the maintenance of the roads is thrown on the parishes which are included in the Metropolitan Local Government Act; that is so, is it not?—I do not think they confine themselves to that; I think that they take different parishes, because that will not apply to Teddington and Twickenham, which are still further west.

2373. Lord *Henley.*] Are you aware that Twickenham and Teddington were put in the Act at their own request?—Very likely; we were led to believe, when we went to Sir George Grey (and we were told privately) that there was a probability of the Bill being withdrawn.

2374. Mr. *Baring.*] Did the parish of Chiswick appear before the Committee?—I do not quite know; I think not.

2375. Lord *Henley.*] You would propose to make it compulsory on the other parishes to maintain the roads?—Yes, I think so.

2376. That is to say, wherever there was no debt?—Wherever there was no debt, I would be scrupulously honest.

2377. *Chairman.*] But if you could find another mode of paying the debt instead of levying tolls, would not that, in your opinion, be desirable?—Quite so.

3378. Mr. *Baring.*] Is there any turnpike between you and London, in your own district?—Yes.

2379. That turnpike will be done away with, will it not?—Yes.

2380. So that you gain that much?—We can go eastward.

2381. Is the traffic east greater or less than it is west?—It is very much greater eastward, as far as Hammersmith is concerned.

2382. Therefore you will derive a considerable gain, will you not?—No, we shall sustain a great loss, for we shall pay 1 *s.* in the pound besides the toll.

2383. You would rather have paid at the gate than have to pay the rate?—I think that the public at large would; I would not, because I do not care a straw about it; I do not like the annoyance of paying at the gates. The majority of the ratepayers are in favour of the removal of the gates even if they paid more rates; they look on the turnpike gates as a great obstruction to traffic, and a hindrance to building schemes.

2384. The only thing you complain of is, that you have a gate still westward?—No, we have not a gate still westward, but we are going to have a gate which we never had before.

2385. You think that the parish should be forced to maintain its own part of the road?—Yes.

2386. Colonel *French.*] Do you think that it would be better to throw the repairs on a larger district than on the parishes?—Yes; we were greatly in favour of the Report of the Royal Commission some few years back, of which Colonel Pennant was one of the members; that Commission recommended that the repairs should be retained in the hands of the Metropolis Road Commissioners, and that a small rate should be thrown on the respective parishes, according to a scale, and that there should be a local rate as well as a general rate, going over the whole of the metropolitan area.

2387. Colonel *Barttelot.*] Where is this turnpike going to be placed?—At the corner of Chiswick-lane, which is about a quarter-of-a-mile from the western boundary of the parish of Hammersmith.

2388. The metropolitan tolls were abolished up to a certain distance by the Act last year, were they not?—They will be abolished on the 1st of July next.

2389. Then the tolls are abolished up to a certain distance, by removing the gate at Kensington?—Yes.

2390. Consequently the fresh trust begins a short distance beyond that?—They make it a fresh trust, if you like to call it so, but it is a continuous trust right through the western road on to Teddington.

2391. But the portion of it which comes up as far as St. George's Hospital has been done away with, has it not?—I do not know; all that I know is, that there is a gate at Kensington and that there is another at Hammersmith.

2392. The gate at Kensington, and the one at Hammersmith also, are to be done away with on the 1st of July?—Yes.

2393. Then why do you complain of a new gate on that portion which is left?—Because we never had a gate westward at all, and now we are called upon to repair the whole of the roads at a very heavy cost, in consequence of those Hammersmith and Kensington gates being taken away, and we are to have a new gate placed westward; we could formerly go to Kew Bridge and Isleworth, without paying any toll at all, and now we shall be called on to pay a toll in addition to keeping up the roads at a heavy cost.

2394. Colonel *Hussey Packe.*] You have stated that the rate for the repair of the roads will be 1 *s.* in the pound?—That is what we calculate it will be.

2395. What is your parish rated at?—I cannot tell you now from memory.

2396. How many miles have you to repair in the parish?—I should think about five and a-half or six miles, because we have three roads.

2397. Surely that could hardly be 1 *s.* in the pound?—That is what it is calculated at at the Board of Works. We are a very poor parish, although there is a large population.

2398. Mr. *Walter.*] Would not the state of things be this, that the Chiswick people would have the right of using your roads without paying tolls, and that you would not be able to use their roads without paying tolls?—Yes.

2399. And you consider that an unfair state of things?—Yes, we do.

2400. Lord *Henley.*] Are you aware that, between the years 1830 and 1862, the assessment value of Hammersmith and Fulham rose from a little

ttle over 50,000*l.* to over 130,000*l.*?—I was ot aware of that; but that does not affect us, aving to pay one shilling in the pound on it.

2401. Do you pay one shilling in the pound ighway rates?—We are a local Board, and it is ll merged in.

2402. Colonel *French.*] Your objection is this, hat they do away with turnpikes in the metro- olitan district, but that they deprive you of the dvantage of that abolition, by putting up a new ate?—That is the gist of the objection.

2403. Colonel *Barttelot.*] You used to pay turn- ike tolls at Hammersmith before, I suppose?—Yes; but only at one gate. One gate cleared he other.

2404. Sir *William Jolliffe.*] I suppose that you are aware of the clause in the Act of Parliament which allows parishes to exempt themselves altogether from turnpike gates, if the whole of the parishes (not being too large) in any one district consent to do so?—I was not aware of that. In that case, Chiswick could get rid of the gate. *W. Bird,* Esq. 9 May 1864.

2405. If application is made, according to the provision of the Act, from all the parishes in any one district (for that purpose the district should be very small), they can be exempted from tolls altogether, and take the roads under their own management?—Then I suppose we can have no difficulty there, because the Act is already taken to Twickenham and Teddington, and there can be only those little intermediate parishes.

GEORGE MASEFIELD, Esq., called in; and Examined.

2406. *Chairman.*] WHAT are you?—I am a olicitor, residing in Ledbury, in Herefordshire. *G. Masefield,* Esq.

2407. Are you clerk to any trust?—I have been solicitor to the Ledbury Trust for 25 years, nd clerk for the last five years.

2408. Are you acquainted with the Bromyard Trust?—I know a little of it.

2409. Will you state the result of your knowledge of those trusts to this Committee, with regard to the expediency of abolishing the tolls?—I think it would be very desirable in our district.

2410. What is the amount of the debt on the Ledbury Trust?—About 3,800*l.*

2411. What is the amount of the debt on the Bromyard Trust?—I do not know.

2412. But there is a debt, I suppose?—There is a debt.

2413. How do you propose to deal with the debt?—Perhaps it could be raised in the same way that drainage funds are lent by the Government, for 21 years.

2414. Chargeable on what?—On the parish rates; the highway rates.

2415. Would you propose that it should be levied parochially or by districts?—I would put it on the highway district.

2416. Would you put the rate on the district, or on the parish?—Each parish would pay its proportion.

2417. The highway rate is levied parochially, is it not?—Yes.

2418. Would you enlarge the area of rating, or would you perpetuate that area?—I do not think that it would be fair on the parishes to adopt the system of parochial rating, because there is often more road in one parish than there is in another.

2419. What is your opinion with regard to the effect of the tolls on the small towns of Bromyard and Ledbury?—It is very injurious to Ledbury, and the whole system is bad, and the mode of collecting them is very expensive and cumbrous.

2420. Do you consider that it causes an impediment to traffic and locomotion?—I have no doubt of it; we had the misfortune to let our tolls to a man who was very troublesome to the public on many occasions.

2421. Is he a large lessee?—Yes; he is a stranger, but I suppose that he is a large lessee in consequence of the number of securities that were sent to me during the year to be signed by him.

2422. What is his name?—Husted. On one occasion Mr. Webb, a banker in the town, who is also the treasurer of the trust, was returning from hunting; he had to pass a gate at which he ought to have produced his ticket, but being so near, and not being in the habit of producing the tickets, he omitted to do so. Mr. Husted stopped the horse, and Mr. Webb hit him with his whip, and they had a fight in the road. Husted's wife came behind, and beat Mr. Webb on the head with a poker.

2423. Colonel *Gilpin.*] Do you recommend that turnpikes should be abolished on that account?—No; but that is an instance of the behaviour of the turnpike keepers; he was lessee and collector.

2424. *Chairman.*] Mr. Webb probably thought that was an impediment to his locomotion?—Yes; it had a great effect on the public, who did all they could to avoid the gates.

2425. You think that those gates are a great detriment to Ledbury?—A very great detriment.

2426. With regard to the Bromyard Trust, what is the state of that?—The roads are not good, and there are a great many tolls to pay. I am myself in the habit of going to Kingston, 21 miles from Ledbury; I drive there, and in the 21 miles I have to go through eight gates, three gates on the Ledbury Trust, and five on the Hereford Trust. I change horses at Hereford, and I have to pay five gates. I go to Newent, eight miles from Ledbury, and there are four gates, and I pay three times. I go to Worcester, there are six gates, and pay four gates in 16 miles. I go to Bromyard, and pay five gates in 13 miles.

2427. Mr. *Western.*] You do not pay at all those gates, I suppose?—Not all of them; in the Bromyard Trust I do.

2428. Colonel *Pennant.*] Those are different trusts, I suppose?—Yes; they are different trusts.

2429. *Chairman.*] What is the general feeling of the neighbourhood with regard to a system of rating, instead of tolls?—I believe that the general opinion of the farmers who think about it, is that they would much rather pay a rate than pay tolls.

2430. Have you the means of knowing that?—Yes; I am in constant communication with them. With regard to the mode of collecting the tolls, the trustees of our district employed a collector formerly to receive them, and paid him a salary to receive them at the different gates generally. I tried to get the books to show you how they

G. Masefield, Esq.

9 May 1864.

keep the accounts, and he would not let me have the worst specimens of them; but I obtained one or two (*handing a memorandum book to the Chairman*).

2431. Mr. *Western.*] Have you a surveyor?—Yes; but he has nothing to do with the tolls.

2432. You have a clerk, surveyor and collector?—Yes.

2433. And treasurer?—Yes.

2434. He is an honorary officer, I suppose?—Yes.

2435. Colonel *Pennant.*] Would there be any difficulty in consolidating those trusts; are they clear of debt?—They are not clear of debt.

2436. Mr. *Alcock.*] I understood you to say, that your debt is 3,800 *l.* on the Ledbury Trust?—Yes.

2437. Was it ever more than that?—Yes; it is reduced every year.

2438. Are you under a special Act of Parliament now?—Our Act is just expiring.

2439. Do you go to Parliament for a new Act this year?—No; the trust will be continued under the Continuance Act.

2440. What interest do you pay on your debt?—Four per cent. Here is a result of one of the gates, by which you will see that the collector had half of what he received for his trouble (*producing a paper*).

2441. You suggest that the debt should be paid off by a Government loan?—Yes.

2442. How would you charge the interest of that loan?—I have not considered it much, but I should say that it might be paid out of the highway rate.

2443. Do you mean by a rate on the landlord?—On the landlord; it would be better still; but I should think that the farmer would be glad to pay it.

2444. Colonel *Gilpin.*] You do not anticipate any objection on the part of the farmers?—No.

2445. Colonel *Pennant.*] Have you any difficulty in getting the trustees to meet?—They are not particularly regular considering the number of trustees.

2446. Have you ever brought those abuses before the trustees?—They let the tolls afterwards to a man, and that man gave more for them than we made by them, and this last year they were let to another person, who gave 60 *l.* more for them than the previous man. I believe that it is on account of there being so much peculation by the collectors, and so little check upon them.

2447. *Chairman.*] Who pays the tolls in that district?—The farmers, decidedly; it is local traffic. In the Withington district there is much more traffic on the parish road than there is on the turnpike road, owing to the railway station. Formerly at Ledbury the innkeeper paid more post-horse duty than any town in the county, and now he pays almost nothing.

2448. Colonel *Pennant.*] That district is purely agricultural; there is no mineral property, is there?—Just so.

2449. Mr. *Alcock.*] If you had a public meeting at Ledbury, would you obtain the consent of the farmers, do you think, to pay off the loan in the way you have mentioned?—Unanimously, I think; the farmers do pay it principally now.

2450. Mr. *Baring.*] Do you propose that the interest on the debt, and the repair of the roads, should be provided by a rate on the same districts?—It would be better, certainly, if the landlord would pay the interest and principal, that the repairs should fall on the occupiers.

2451. Over what area would you levy the interest and the principal?—I think that I would levy them over the parishes.

2452. With regard to the repair of the roads, do you propose that it should be done by a rate on the parishes, or on the highway district?—I would propose that it should be on the parishes, as it is now.

2453. Colonel *Pennant.*] Supposing the debt to be paid off, you think that there would be no difficulty in getting the ratepayers to agree to the abolition of turnpikes, and the maintenance of the roads from the highway rates?—Not the slightest.

2454. Is there anything in the law, as it stands, to prevent that taking place?—No; not supposing the debt was paid off.

2455. By an application to the Home Office, you might obtain the advantage of that system?—Just so; if the debt were paid off it would naturally come to that.

2456. *Chairman.*] How would you dispose of the adjoining trusts, one being free of debt and the other not?—That is the difficulty.

2457. Mr. *Walter.*] Is not that the difficulty in the way of the existing parishes taking advantage of the law; they have no object in doing it unless the adjoining parishes are free, because they would pay for using other people's roads, and other people would not pay for using their roads?—Yes; it is the different trusts that make it so obnoxious.

2458. You did not tell us the upshot of that fight between Mr. Husted and Mr. Webb?—Mr. Husted summoned Mr. Webb before the magistrates for rescuing his horse from distraint, and the magistrates dismissed the case on the ground that Mr. Husted was the master, the other gate-keeper ought to have given him a ticket, and as she neglected her duty he could not take advantage of that. It was then brought to the Queen's Bench, and the Judges differed in opinion, and it fell to the ground. The Hereford Railway Station runs over the turnpike-house; Mr. Simmons, of Hereford, was passing in a dog-cart with two young children, and as it is a very dangerous place, he drew a little way aside to avoid the noise of the engine, and Husted rushed out and seized the horse, and Mr. Simmons flogged him with his whip, and they came before the magistrates. As Mr. Simmons went through without giving a ticket the magistrates fined him a farthing, and dismissed the case on a counter summons.

2459. What is usually paid to the toll-collectors by the lessees or trustees?—Six or seven shillings a week; it varies very much; they are generally a very low class of persons.

2460. Are they a class usually popular or respected by the people in the country?—I do not know that there is much harm in them, they are sometimes very abusive, and it is very difficult to get them up at night; we have frequently horses running away, and twice within the last month I have had to call on the public for payment for breaking down the turnpike-gates under those circumstances.

2461. You stated that there were five gates between Ledbury and Bromyard?—Yes.

2462. Are those gates in so many trusts?—They are in two different trusts.

2463. What is the expense of management on those

hose trusts?—Some time ago I made a calculation thinking that our expenses are too heavy.

2464. Can you give us any particular instance showing the expense of management per mile?—On the Tenbury Trust, which is adjoining to the Bromyard, it is 21 *l.* a mile.

2465. Does that include the salary of the surveyor?—Yes, manual labour, and team labour.

2466. I mean the expense of management?—That is the entire expense; my figures do not show the two things separately.

2467. Now in the Tenbury Trust what are the wages of the surveyor?—I have not taken it out for the purpose of this Committee.

2468. What is the expense in your own trust, the Ledbury Trust?—I think that it is about 22 *l.* a mile, but this last year it was only 16 *l.*

2469. I do not see the surveyor's salary in the document which you handed in, that is not stated, I think?—None of the different items are stated there.

2470. This does not include the surveyor's salary?—No, that was merely the result. That is the income and expenditure on our trust for the last year (*handing a table to the Committee*).

2471. The length of the Ledbury Trust is 62 miles?—Yes.

2472. The clerk's salary is 30 *l.* a year?—Yes.

2473. The surveyor's salary is 120 *l.*?—Yes.

2474. And the collector's salary is 52 *l.*?—Yes.

2475. Making a total of 202 *l.*?—Yes.

2476. Lord *Henley.*] You said that on the Ledbury Trust there was a debt of 3,800 *l.*, I think?—Yes.

2477. What are the bonds now worth?—I am myself a creditor, and I should not take any thing less than the actual money.

2478. But is it not the case, that for very many of the debts on the turnpike roads the bonds are worth very much less than 20 *s.* in the pound?—Very often that is so.

2479. If that debt was to be paid off by a loan from the Government, and if the bondholders heard that the bonds were likely to be so paid off, they would rise very much in value, I suppose?—Yes, very likely.

2480. That would not be a very economical way of disposing of the debt, would it?—It would be but just that they should have the money.

2481. Colonel *French.*] Have you received interest regularly?—Quite so, and I have received a sum every year, in part discharge of the debt.

2482. Is the amount that you receive of the principal, annually, sufficient to pay off the debt when the Act expires?—No, because the Act expires next year.

2483. If the Act were not renewed, you would have no security of any kind for the principal?—No.

2484. Then, your estimate of the value is merely on the supposition that that Act will be renewed?—Yes.

2485. Is your interest five per cent.?—No, four per cent.

2486. How long has it been four per cent?—For a great many years.

2487. You consider that the value of the bonds is par?—Yes.

2488. Do you let the tolls at Ledbury?—Within the last two years we have let them.

2489. In your last annual return you charge for toll collectors?—No; we charge for surveyors and clerks, but not for toll collectors.

2490. Which is the most beneficial plan, do you think, to let the tolls or collect them?—To let them, because we make more money, although having the railway, the traffic must have been diminished.

2491. You make more money when you let the tolls than when you collect those tolls yourselves?—Yes.

2492. And you attribute that to the difficulty of getting honest collectors?—Entirely so.

2493. You say that the collectors are a very low class of people generally?—Yes; they are not paid sufficiently.

2494. Did you ever compute what loss there was in connexion with the tolls on your trust?—No; it was impossible to do that. This book (*handing a memorandum-book to the Committee*), is a sort of ledger which the gate-keeper made of the persons who passed through the gates, but it is perfectly unintelligible.

2495. Therefore, under any circumstances, you think it is better to take any rent that is offered for the tolls than to try and collect them?—Yes.

2496. Colonel *Barttelot.*] You thought that the fairest way, supposing the debt were abolished, would be, to place the debt on the landowners in each parish, and the repairs of the road on the occupiers of the land?—Yes, by a highway rate on the parish.

2497. But on the parish, and not on the highway district?—On the parish.

2498. Would not it be a very hard case, supposing that there was a small parish with only one mile of a road running through it, that that parish should have to keep that mile of road in repair alone?—Yes, no doubt it would; I am only speaking generally.

2499. But the common charges of the district are now levied on the whole district, are they not?—No; they are put on in this way. They take the average of three years' expenditure in each parish before the Act came into operation, and then they apportion the charges according to that expenditure.

2500. But that virtually is on the whole district, is it not?—Yes; but it is not apportioned by mileage.

2501. How near is that Ledbury Trust to Malvern?—It is within eight miles.

2502. Do the pleasure-seeking people at Malvern go over those roads much?—To a certain extent; but they are debarred very much by the turnpikes.

2503. Do you not think that it would be a fair thing that people who go for pleasure should pay a toll to keep the roads up?—Perhaps so.

2504. Do you not think that it would be hard to throw on the parishes the repairs of the roads which are used for pleasure by those people?—That is a very minute portion of the district.

2505. But on general grounds you think it is fair, do you not, to make those who use the reads pay for the use of them?—Certainly.

2506. *Chairman.*] Is not the common law liability that the parish must pay for the highways where there are no tolls?—Just so; but in our own district the pleasure portion of the traffic is very small.

2507. But whatever injustice there is in throwing the turnpikes on the parishes, already exists in the case of the highways?—Yes.

2508. Colonel *Gilpin.*] If there are no turnpikes, there can be no tolls. I understand that you think that the gates should be done away with,

G. Masefield, Esq.
9 May 1864.

with, and that the expense of keeping up a road should not be thrown on those parishes only through which the road passes, but on the highway district?—If the money could be raised, I think that each parish might take its fair share of the liability by calculation.

2509. Do you not think that those debts on the trusts have accrued in a very great degree from the very extravagant management of those trusts?—I could not say.

2510. But do not you think that it would be rather hard, under any circumstances, that remote parishes in the highway districts which are never likely to use a road, should be called on to pay, because it happens to be a bankrupt trust?—If it was fairly proportioned, there would be very little to pay; but there is no such parish in that district.

2511. If there was a public meeting called to consider this matter, and also that of throwing the debt on the landlord in the first instance, and the expense of repair on the highway district, do you think that such a measure would be popular?—Yes.

2512. You think that the landed proprietors would not object to take the debt?—I think not.

2513. Do you think that travelling along the road and not paying tolls, would compensate them?—Yes; I think it would.

2514. You have four officers in one of your trusts, have you not?—There is a surveyor, a clerk, and a treasurer, and a collector, when we receive the tolls ourselves.

2515. Who pays himself by taking a portion of the receipts?—Yes; the superintendent collector was paid 52 *l.* a year.

2516. Do you not think that debts have been kept up occasionally for the purpose of charging the staff on the road?—Not within my knowledge.

2517. Colonel *Stuart.*] Are there not some districts where the road is used by a great many scattered parishes, who do not pay to maintain the road?—There must be some injustice, do what you may.

2518. But you think that the injustice by your plan would be thrown more evenly over the country?—In our district certainly.

2519. Mr. *Western.*] I think you said that the tolls were let for 60 *l.* more last year than they were let for the year before?—Yes.

2520. There must be a good deal of fraud then?—No doubt.

2521. You employed a collector to go round to the toll houses?—Yes; when we had them in our own hands.

2522. I suppose that you had some difficulty in getting the trustees to act?—Yes.

2523. If you could persuade the trustees to act, could you not get the roads looked after for one-half of what it costs you now; I mean if the trustees took different districts, and looked after the roads themselves?—Yes; I dare say.

2524. What is the salary of the clerk?—Thirty pounds a year.

2525. Then I suppose that it was in consequence of the smallness of his salary that he could not undertake all the work that belongs to his office?—I think that in the Turnpike Act the collectors and the clerks are distinct officers; but now no doubt the Highway Boards will be much more competent to manage the whole thing than the trustees themselves.

2526. The roads are in good repair, I suppose?—Pretty well.

2527. There is a great deal of pleasure traffic going to Wales, is there not?—No; they go by rail.

2528. You suggest a loan by Government for 21 years for paying off the debt?—Yes; I have not at all considered the detail.

2529. And you propose that the interest should be paid out of the highway district rate?—Yes.

2530. Is the Highway Act carried out generally in that district?—Yes; at least it has been in existence for about a year.

2531. Has the subject of the abolition of the turnpikes been mooted at all?—Yes.

2532. What has been the feeling?—That the roads should be managed by the Highway Board.

2533. Has there been no meeting to consider that subject, and to press it?—No, there has not.

2534. Has it ever occurred to you, and to the promoters of the abolition of the turnpikes, that the turnpikes might be done away with, and the debt, and the interest on the debt be discharged by means of a county rate?—I am not aware of it.

2535. Do you think that it would be fair to ask a county to keep up all the turnpike roads in the county?—It would come to pretty nearly the same thing, no doubt.

2536. Do you think that it would be popular to put such a charge on the county rate in the event of the turnpikes being abolished?—Yes; I think it would be if the burthen was fairly apportioned.

2537. Do you think that that would be fairer than levying a rate on the highway district?—I cannot say.

2538. You were asked about the consolidation of the trusts; is it possible to consolidate any of your trusts?—It depends on the amount of debt on the other trusts, which I am not aware of.

2539. Would it not reduce the expenditure very much, supposing that the several trusts were consolidated?—The mode for saving expense would be to put the trusts under the Highway Board, because the ratepayers would have then an interest in looking after the expenditure whereas now they have not after they have paid their tolls.

2540. In one case you say that you have eight gates in 21 miles?—Yes.

2541. Is there a toll levied at each gate?—No; I pay five times, but then I change horses on the road, otherwise I should not have to pay so much by one gate.

2542. Do you not hear people in all directions complain of the oppressiveness of that?—Yes, they do complain.

2543. Are there any means of evading the gates?—Yes; they try all kinds of means; they make use of the parish roads. Supposing that they could be united under one government, I think that some of the parish roads might be done away with, which are now kept up merely to enable people to evade the gates.

2544. Have they to go very far round?—The farmers would go several miles round rather than pay.

2545. In going to the market town, do the cattle go round about much?—Yes; no doubt.

2546. The drovers consider it worth their while, I suppose, to go round?—Yes.

2547. *Chairman.*] In that case, the parish is paying

aying for a traffic which is no benefit to it, is not?—Yes; just so.

2548. Colonel *Hussey Packe.*] Your debt is 800 *l.* on the Ledbury Trust?—Yes.

2549. How many years, supposing you received e tolls, and apportioned the payment of the ebt, would it take to redeem the debt, throwing e repairs on the parishes?—I reckon that, pposing the money was lent, and repaid in years, it would be about 30 *s.* a mile.

2550. What is the amount of tolls which you llect in the year on the Ledbury Trust?—The st letting was for 1,831 *l.*

2551. If you appropriated the tolls to the ayment of the debt, and threw the repairs on ie parishes, you would redeem the debt in about vo years?—Yes.

2552. *Chairman.*] Have you ever made any lculation with regard to the value of the pro-erty in your Ledbury Trust?—No.

2553. Assuming that the plan were adopted of aking the owners of property pay by an annual nount the money borrowed, have you any idea hat it would come to?—I reckon that 30 *s.* a ile in the year would pay off our debt in 21 ears.

2554. How many miles are there in your ust?—Sixty-two miles; that is a rough calcu-tion.

2555. That is about 100 *l.* a year?—Yes.

2556. Have you any idea what amount of rate pon the property would pay that?—No; I could ot say.

2557. Colonel *Pennant.*] Your apportionment f that debt would be by mileage entirely?—es.

2558. But one parish might have a greater xtent of mileage, and yet have a very low ssessable value?—The assessable values are very early equalised now in our county, I think.

2559. Do you mean in all the parishes under ie new Parochial Assessment that the assess-ient bears the same proportion to its real value?—Yes.

2560. But might it not happen that a parish ight have a large mileage, and yet be of a lower ateable value than a neighbouring parish which ad a less amount of mileage?—Yes, but that arish would have to pay more than its fair pro-ortion.

2561. *Chairman.*] Take, for example, the case of a parish with a great extent of moor land in it?—Just so; that would be an instance.

2562. Colonel *Pennant.*] That would be an unfair state of things, then?—Yes, it would be so; this is merely a rough calculation which I made.

2563. But would there be more unfairness in the case of a turnpike road being paid for by a rate, than there is in the case of a highway rate?—It would depend on the extent of the road in the parish.

2564. The same argument is applicable to both, is it not?—It is applicable to both.

2565. Colonel *Hussey Packe.*] Have you not power under your present Act to appropriate the proceeds of the tolls to the payment of the principal of the debt?—We have the power. The Act is silent on that subject, but it may be done under the General Turnpike Act.

2566. Mr. *Western.*] Under the Parochial Assessment Act do the rates increase in value?—The assessable value was raised very much.

2567. Colonel *Pennant.*] Have any of those trusts been renewed during the last 10 or 12 years?—The Leominster Trust has.

2568. Is that trust paying off the debt?—No, I believe not; I believe that it takes one-half of the revenue to pay the expenses and establishment charges, without including the repairs; the repairs are principally put on the parishes in that district.

2569. Colonel *French.*] How much of your principal has been paid off?—I think they have paid me about 250 *l.* a year; for several years it has averaged that.

2570. But how much per cent. do you hold?—It is about that much every year that they pay towards the principal.

2571. That is 20 per cent.?—Yes.

2572. *Chairman.*] Is that debt paid off at par?—Yes.

2573. You pay off the full value?—Yes.

2574. Colonel *Pennant.*] How many mortgages have you?—I think that my debt is about between 2,000 *l.* and 3,000 *l.*; the rest is in the hands of two other parties.

2575. You do not pay to the lowest bidder?—No; the other mortgagees consented to my receiving that; mine takes the priority.

2576. Mr. *Western.*] I think I understood you to say that your treasurer is honorary?—Yes; he has no salary; he is a banker in the district.

George Burrow Gregory, Esq., called in; and further Examined.

2577. *Chairman.*] Are there any corrections r additions which you wish to make with respect o your former evidence?—Yes; with respect to he Flimwell and Hastings Trust, I find that the ebt was 22,944 *l.*, and that the debt paid off was 59 *l.*, according to the last account. The tolls I nd are not quite so high as I stated them to be; he tolls would be, on that road, 4 *s.* to Hastings; hey are 8 *d.* tolls, and six gates at 8 *d.* would be 4 *s.*; but then there would be another trust to go over to get to St. Leonard's, so that it would be 4 *s.* 8 *d.*, in order to get the nearest way to Hastings. The railway fares are 4 *s.* 9 *d.* first class and 3 *s.* 3 *d.* second class.

2578. Colonel *Pennant.*] What is the date of your Act?—The clerk to the trust is here, who will give you all the particulars; it is 1849, I believe.

The Rev. Edward John Howman, called in; and Examined.

2579. *Chairman.*] Where do you reside?—I reside in the county of Norfolk, in the neighbourhood of Downham Market.

2580. Have you the cure of souls?—I have.

2581. You wish to give evidence before this Committee?—Yes; I wish to give evidence merely to show how we have been suffering in that district from having turnpikes. We have to

Rev. *E. J. Howman.*

9 May 1864.

maintain the roads and pay the tolls, and there has never been since the year 1772 one shilling laid out on the repairs of the road.

2582. What was the original amount of the debt?—£. 2,500, and there is something more than 2,000 *l.* arrear of interest.

2583. What is the name of your trust?—The Downham and Fincham.

2584. When will your Act expire?—The Act expires on the 1st of November next.

2585. What was the term of the Act, was it for 31 years?—Yes; for 31 years. There have been three renewals, one was in 1792, the next was in 1813, and the next was in 1832.

2586. *Chairman.*] You say that the debt is 2,500 *l.*?—Yes; and the arrear of interest is rather more than 2,000 *l.*

2587. That is on 100 *l.* bonds?—Yes.

2588. What is the value of the bonds in the market?—I do not think that they are worth a farthing now; all that have been sold at all were sold at 18 *l.* a piece. The original Act and the renewals cost 1,138 *l.* 11 *s.* 9 *d.*; there is not above eight or nine miles of road.

2589. What is the opinion of the people in your neighbourhood with regard to the abolition of the turnpikes?—The feeling is one of the utmost thankfulness that we are not to pay tolls after November next, because the present bondholders have acceded to the terms; they have undertaken to take 20 per cent. on the original bonds, and 20 per cent. on 8 years' arrears of inte- and they will let the thing expire.

2590. Colonel *Pennant.*] How is that to be paid?—There are two bonds of which no owners have been discovered for the last 55 years; on one occasion there was an arrear of interest and they appropriated that to the payment of the renewal of the Act, and in our recent communications with the Home Office the Home Secretary suggested to us, when we were going to raise money by subscription, that we should not do that while we had such an accumulation of unclaimed interest in hand. Therefore that will now release the bonds, and there will be besides a little left.

2591. *Chairman.*] The repairs of the roads have been entirely done by the parishes from the first?—Yes, the roads have been kept up by the individual parishes.

2592. Colonel *Pennant.*] But I suppose that the road was made in the first instance for the benefit of the county?—I did not live there till recently; as far as I can judge the only thing done was making a good road through one parish and part of another for the interest of that parish, for one of the original promoters residing in it was trustee, treasurer, surveyor and all.

2593. That was in 1772-3?—Yes.

2594. The whole of the trust will be at an end this year, and the system of parish repairs and maintenance will take place on the trust being abolished?—Yes.

2595. And then your grievance will be at an end?—Certainly.

2596. *Chairman.*] Do you apprehend any difficulty with the neighbouring trusts which have tolls?—I believe that the neighbouring trusts, so far as pecuniary matters go, are pretty much in the same boat, for they are every one in a state of hopeless insolvency; the only one that comes near us is the Downham and Ely Trust; they have some time ago been obliged to get their rate of interest reduced, and thereby having a much lower rate of interest they have been able to keep paying off a certain amount of the debt.

2597. You will pay tolls on their road after your own turnpikes are abolished?—Yes.

2598. But they will not pay tolls upon your road?—No, not if they use it.

2599. Do you consider that that will be fair?—I think so; I do not see any objection to it as long as the system of maintaining the roads by the parishes remains. The fact is, that the Trustees have no money for the repair of those roads, and they come to us as magistrates to apportion a certain part of the highway rates to them; they have no receipt from the tolls for repairs.

2600. Colonel *Pennant.*] What is the state of their debt?—I do not know.

2601. But you say that they are paying it off?—Yes. I have never acted as trustee.

2602. When their Act of Parliament was renewed the rate of interest was reduced considerably, was not it?—I think that they are carrying on their trust now under an arrangement with the Home Office. At the time when their rate of interest was lowered, they were called upon to set apart so much for the liquidation of the debt.

2603. Sir *William Jolliffe.*] Have you any knowledge of the marketable value of their bonds?—I have not the least idea.

2604. Colonel *Stuart.*] What interest has been paid on your bonds?—In the first 30 years I only see one single entry in the books, and that was for the payment of interest for a year and a half but at the end of that period there seems to have been a considerable arrear.

2605. But what interest has been paid on your bonds for the last 10 or 20 years?—Latterly we have paid certainly not more than 2½ per cent., because the tolls, since the railways came into operation, have been let at very small figures they have been let at 60 *l.*, 76 *l.*, and so on; but for the last three years, owing to the accidental circumstance of a competition, they got up to 100 *l.*; but the man has lost by them.

2606. Any money that remained you handed over to the Trustees?—Yes, whenever we could find a year's or a half-year's interest.

2607. Mr. *Western.*] You said that the tolls had diminished in value in consequence of the railroad; does the road run parallel with the railroad?—No, not exactly parallel.

2608. You had very little traffic before the railroad came, and now you have less; is that so?—No, there was a great deal of traffic; but the thing was so managed in the first instance that it was a road that was particularly easily evaded. and certainly not half, I think, if a quarter, of the traffic ever went through the gate at all.

2609. The Trustees did not look very sharply after their trust, I suppose?—I do not know.

2610. What are the official expenses of your trust?—The clerk's salary is 20 *l.* a year; and when there has been any little law business he has done it.

2611. What do you pay the surveyor?—We have none.

2612. Who looks after the road?—It is the parish surveyor. There was a surveyor, who was paid 10 *l.* a year, but who did nothing; and then there is no paid treasurer.

2613. The only officer is the clerk?—Yes, he has 20 *l.* a year; but on the average I do not believe

elieve that at any time the tolls let have realised ve per cent. upon the debt.

2614. Has it never occurred to the people of he neighbourhood to make a movement to improve that state of things?—Efforts have been nade.

2615. But the road is in a bad state, is it not?—No, it is in a perfectly good state.

2616. The tolls being kept up, how are the oads repaired?—It is entirely done out of the arish rates; there is nothing obtained from the olls to repair the roads.

2617. But what has been done with the tolls hat have been taken at the gates?—They have aid first of all the necessary expenses, that is to ay, the clerk's salary, and little repairs to the oll-gate, such as painting, and so on, and for ome years there was the surveyor's salary, and ertain legal expenses.

2618. Do you think that the neighbouring rust would be disposed to take the roads under heir own management in the same way as you ow propose?—That is a question which I cannot nswer. There are two trusts that cross ours, ut whether they would do that or not I do not now. In fact, both those trusts are in process f paying off their debt, I believe.

2619. Colonel *Barttelot.*] You appear here rincipally because your road has never had a hilling laid out upon it?—Yes, we have both aid tolls and repaired the roads.

2620. But suppose the tolls had kept the roads n repair, would you have thought that an unfair hing?—I should, distinctly, because to a great extent, the persons who pay the tolls pay also for he maintenance of the road.

2621. *Chairman.*] Would you prefer that the road should be repaired by tolls or by a rate?—I should say by a rate. But I have rather an idea that if the country could be divided into manageable districts, a horse tax would be the fairest thing, because everybody who used the road would pay something towards it, which is not the case now.

2622. Did you ever hear of a horse-tax having been tried and having failed in Scotland?—No, I never heard of it; it was only an idea that crossed my mind.

Rev. *E. J. Howman.*

9 May 1864.

2623. Mr. *Alcock.*] Supposing that you had a public meeting at Downham with regard to the question of the abolition of the turnpikes, what do you think would be the feelings of the people?—The feeling of the district is to get rid of the tolls, because before the suggestion was thrown out by Sir George Grey with regard to how we could raise our fund to pay off the debt, we were employed in trying to raise subscriptions, and everybody would have subscribed for the sake of getting rid of the tolls.

2624. You were almost disposed to have Rebecca riots, I suppose?—No, we were more peaceable than that.

2625. *Chairman.*] Your gates are very easily evaded, you say?—Exceedingly so.

2626. Mr. *Western.*] Have you ever heard a feeling expressed with regard the abolition of the turnpikes in other parts of the county when you met at quarter sessions?—No, we have never heard the question discussed.

2627. There is very little traffic in your part of the country, I suppose?—There is a good deal of traffic.

2628. I presume that you do not know the general feeling in Norfolk on the subject of turnpike trusts?—No.

2629. Sir *William Jolliffe.*] I think you said that this Downham Act is about expiring?—Yes.

2630. Has it ever occurred to the parishes which are burthened with the repair of the road to memorialise the Home Office with regard to the renewal of the Act?—We tried to memorialise the Home Office some years ago; I think it was when Lord Palmerston was Home Secretary; the trustees were then willing to do something; but the bondholders were not then willing to enter into an arrangement; but the present Home Secretary said that unless something was done he would not put the trust into the renewal Act, and there were no funds to get a new Act with.

2631. When your Act has expired, your great grievance will have come to an end?—Certainly; we have been up to this time paying very heavy tolls, and repairing the road besides.

George Robson, Esq, called in; and Examined.

2632. *Chairman.*] You are Mayor of Durham?—I am.

2633. Mr. *Fenwick.*] Have you a knowledge of the turnpike-trust system in the neighbourhood of Durham?—I have a certain knowledge of it.

2634. Will you inform the Committee, is the system of turnpike trust in the neighbourhood of Durham, in your opinion, onerous to the inhabitants?—Decidedly, and it has been so for many years.

2635. Have you heard many complaints from the inhabitants on the subject?—Yes, many complaints.

2636. Have you heard complaints from the inhabitants of the country as well as the inhabitants of the city?—From the principal inhabitants of the country as well as the inhabitants of the town, from the great inconvenience which they suffer from the country persons being impeded in getting into the town.

2637. Will you take any point, say a mile from the City of Durham, and explain to the Committee how many turnpike gates a person will have to pay who wishes to enter the city with a horse and cart?—The parish of Shincliffe is about a mile from Durham, and a person coming from there will have to pay a turnpike toll-bar, and he will also have to pay a gate belonging to the Local Board of Health in Durham, before he can enter the city.

2638. He will have, therefore, two gates to pay before he can enter the city?—Yes.

2639. Are there other approaches to Durham of a similar character?—Yes; take the Durham and Sunderland line, where a person would also have to pay at the toll-bar belonging to the Local Board of Health at the end of the street leading to the Sunderland-road; he must pay that, and also pay at a regular turnpike toll-bar, which is within a quarter of a mile of the borough of Durham, and which was a few years ago within

G. Robson, Esq.

G. Robson, Esq.

9 May 1864.

the borough of Durham; coming from Sunderland, therefore, he must pay the turnpike bar and the town bar.

2640. Provided that he starts from some point under a mile from the city of Durham?—Yes.

2641. Take the case of the Lobley Hill Trust, what would be the case there?—That is of a similar character.

2642. Is the Shotley Bridge Trust of a similar character also?—Yes.

2643. In fact, generally, in order to get into the city of Durham from any point a mile distant, you must pay two gates?—Yes.

2644. In your opinion, what is the effect of those turnpike gates on the trade of the city?—We consider it very injurious and very oppressive; and so much so, that it has been felt that the toll-bar between Shincliffe and the Durham and Sunderland Railway has suspended the running of the omnibus to the terminus of the line of railway. At that bar on the Shincliffe-road they charge people every time they pass and repass; not once in 24 hours, but if they go 24 times in the 24 hours they compel them to pay a toll in every case. Some farmers in the neighbourhood have resisted that, but it became so oppressive in the year 1862, that the persons residing in that neighbourhood memorialised the Dean and Chapter. I now produce the memorial, signed by the ratepayers of Shincliffe and the landowners in the neighbourhood, to object to the renewal of the Act, which expired in 1862. This petition was sent to the Home Secretary from the Dean and Chapter at the instance of the inhabitants.

2645. But notwithstanding that memorial, and notwithstanding the representations to the Home Office, the Act was renewed in the Continuance Act?—Yes.

2646. And it still continues?—Yes; last year also, in the parish of Elvet or St. Oswald's the inhabitants felt themselves so much oppressed by it that they tried to enter into some arrangement with the Catterick Bridge and Durham Turnpike Road Trustees, and they offered to pay 10 *l.* a year towards keeping the road in repair, if the authorities of Durham would paythe other 10 *l.*, the trustees consenting to remove the bar to the other end of the village.

2647. Has that bar been removed?—No, it has not.

2648. Do you know any instance of a very large amount having been collected for one horse and cart on any one day on those roads?—Yes, I had it from the person himself on Saturday last. Mr. Carnaby, who was then a brickmaker at Black Gate, told me that in one day he paid ten times 10 *d.*, which makes 8 *s.* 4 *d.* for passing and re-passing a gate on that road in 24 hours; it was on the same road, but not the same bar that I have been speaking of; that toll-bar was at a place called Black Gate, about five miles from the City of Durham.

2649. Generally do all the turnpike trusts that converge to Durham partake of the oppressive character of those tolls?—The whole of them.

2650. They have a tendency to prevent, and do in fact prevent people coming into the town of Durham on market days and other times?—Very materially, because many of the farmers will not come in consequence of the oppressive character of the toll-bars; they leave their horses and carts in the village of Shincliffe, rather than bring them to Durham.

2651. Have you a turnpike gate belonging to the Board of Health at Durham?—We have gates at every entrance to the town; we have six gates and two check gates.

2652. You have six gates at the six entrances to the town?—Yes.

2653. What was the origin of those gates?—There was an Act passed in the year 1790, called the Durham Paving Act, and the town was then placed in the hands of Commissioners, who had powers under the Act to borrow a certain sum of money, and the sum of money which they borrowed was 9,700 *l.*, and that debt remained on the town until the passing of the Public Health Act in the year 1849, when the duties of the Commissioners ceased. Now the Commissioners, we think misappropriated the money very materially, because they only paid out of the toll that they were empowered to assess the interest of the money, and they expended the surplus on the paving and lighting of our streets. If they had done what we think they ought to have done, the debt would have expired long ago.

2654. And the necessity for the gates would have been done away with?—Yes.

2655. And so, in fact, the existence of the six gates is due to the improper conduct of your predecessors in the management of the town?—I think decidedly so. Since the local Board has been established, we have paid 3,400 *l.* of the principal sum, leaving now only 6,300 *l.* of that debt; and we do not appropriate one farthing of the money to the paving of the town. We merely pay first the interest and keep the bars in repair, and we pay the necessary incidental expenses for collecting the money, and the surplus goes to liquidate the debt from time to time.

2656. The repair of the streets is now made by a rate, I suppose?—Yes; by a rate under the Public Health Act.

2657. *Chairman.*] There is no objection to that, I presume?—None. The original sum of 9,700 *l.* was borrowed at five per cent. That was paid for some time, and we have now got it in bonds at four per cent. When we have surplus money, we pay the bondholders in full. We have paid 3,400 *l.* since 1849; but we shall do it more speedily now, in consequence of the reduction of the interest.

2658. Have you made any calculation with regard to the time it will take you to pay off your debt?—I should think that in 12 or 14 years it will be entirely paid off.

2659. Take one of those gates. Are all those gates in the streets of Durham, or are they on some public road?—They are on public roads.

2660. Not repaired by the town?—They are not repaired by the town.

2661. So that a gentleman driving to the railway station at Durham, from the north, would have to pay at one of the gates, although he would never go into the town at all, and never drive over any of the streets that are repairable out of those tolls?—Quite so; he would have to pay a toll-bar, although he never came into our town.

2662. Would that be the case at many of the other toll-bars?—Yes; at several of them.

2663. With regard to the Shincliffe toll which you mentioned, I suppose that the road from Durham to Shincliffe is in a very good state?—

tate?—It is in a very bad state; it is one of the worst roads that we have.

2664. How is it, when compared with the ordinary highways of the district?—Worse than those that are coming under the Highway Act. The road I spoke of is worse than any of the highways.

2665. You think that that is an additional reason why the tolls should not exist at all?—I think so.

2666. Have you considered at all, if you do get rid of the gates, how the roads are to be kept in repair?—Yes; I have thought of that.

2667. What is your opinion. Take the two cases; first of all, of roads where there are no debts; and secondly, of roads where there are debts. Will you first apply your mind to the case of a road without any debt; what course would you suggest should be followed?—I should think that the most satisfactory way of keeping the road in repair, would be by a county rate.

2668. You mean by having all the roads of the county repairable out of the county rate?—I think that that is the most satisfactory way.

2669. *Chairman.*] In that case, would you have the administration continue in the present hands, or would you extend it more; do you think it ought to be confined to the magistrates?—I think so.

2670. Mr. *Fenwick.*] Do you think that the ratepayers would be satisfied with the administration of all the roads by the magistrates in the county of Durham?—I think so.

2671. Take a road in debt, what would you do in such a case as that?—That is rather a different matter, because a large sum of money would have to be borrowed; and I should say that we ought to spread that over a period of years: the same as we borrow for sewerage purposes from the Government.

2672. *Chairman.*] On whom would you put that annual sum?—It must either be paid by a county rate or by a highway rate on the parishes, in some way or other. I have not considered that matter sufficiently. The Durham and Sunderland Road has only a debt of 250 *l.* on it.

2673. Now, with regard to your own debt, do you propose keeping up the tolls for 14 years to pay that debt?—At present.

2674. But what would be your own idea on that subject?—I do not know whether it would be fair or not.

2675. Mr. *Fenwick.*] Supposing that all the other turnpike tolls in the neighbourhood of Durham were got rid of on the same terms, would you, as representing the City of Durham, be willing that the necessary money should be raised by a rate spread over a period of years?—I certainly should be willing, because it would be such a great advantage to the town to get rid of the tolls.

2676. *Chairman.*] You do that at once?—At once.

2677. Mr. *Fenwick.*] Do you think that you are now expressing the opinion of the great body of the people with whom you come in contact in your municipal capacity and otherwise in the county of Durham?—I think so.

2678. Mr. *Alcock.*] The debt is 6,300 *l.*?—Yes.

2679. What is the amount of tolls that you receive?—From May 1861, to May 1862, the gross amount of tolls received was 783 *l.* 10 *s.* 4 *d.*, less wages, 89 *l.* 12 *s.* 9 *d.*

2680. When does your Act expire?—We came into operation in the year 1849, under the Public Health Act.

G. Robson, Esq.

9 May 1864.

2681. Mr. *Fenwick.*] I think I understood you to say that your Act had no limitation with regard to time?—No.

2682. Sir *William Jolliffe.*] It is not a turnpike Act?—No; it is called the Durham Paving Act.

2683. *Chairman.*] What was the Act that expired in 1862, and which was continued?—The Catterick Bridge and Durham Turnpike Trust Act; that we had nothing to do with.

2684. Mr. *Fenwick.*] Do you know the Durham and Shotley Bridge turnpike?—I do.

2685. That is a road about 15 miles long, is it not?—It is.

2686. What is the character of the country through which it passes?—It is purely agricultural.

2687. Does it differ in any respect whatever from an ordinary highway district?—I think not, because the great bulk of the traffic now goes by railway.

2688. All the traffic is local traffic?—Entirely.

2689. Mr. *Baring.*] How much of the tolls are under turnpike trusts, and how much under the Local Paving Act?—We have six gates belonging to the town under the Paving Act.

2690. *Chairman.*] How far do the roads extend out of the town that came within that Act?—None of them more than a quarter of a mile.

2691. Mr. *Baring.*] Do any of those gates where the severity of the toll is felt belong to turnpike trusts?—Yes.

2692. How many of them?—Several of them.

2693. How many out of the six?—The six belong to the town.

2694. How many more have you near the town?—We have several near the town; we have one on the Stockton road, which is oppressive; and we have one on the Sunderland road, which we complain of; one on the Lanchester road, which we complain of, and one on the Shotley Bridge road which we complain of; between Newcastle and Durham; we have not one very near the town.

2695. Four gates belong to turnpike trusts and six belong to the town of Durham?—Yes, that is so.

2696. What are the distances of those four gates respectively from the town of Durham?—The most oppressive one is within 350 yards of our own gate on the Shincliffe road, and is within a quarter of a mile of the town; the next one is the Lobley Hill Trust, which is within a quarter of a mile of the borough and about half a mile from the town; the other one is also within about three quarters of a mile of Durham, and within half a mile of the borough boundary. There is one on the Sunderland road, within a quarter of a mile of the borough boundary, and about half a mile from the town; they are all within about half a mile.

2697. Are the rates on your borough gates higher than on the turnpike trusts?—They are much less; we only charge a halfpenny for a horse, and the others charge 2 *d.*; we have a schedule of the tolls in the Act of Parliament.

2698. Lord *Henley.*] Are the tolls leading into Durham in debt?—The Durham and Sunderland to the extent of 250 *l.*, the Durham and Newcastle some thousands; I do not know exactly what.

2699. Are they in very different circumstances?—Yes.

G. Robson, Esq.

9 May 1864.

2700. Have you considered, if the repairs were thrown on the local rates, how you would ascertain what the proper amount of the debt was?—No.

2701. Are the bonds of these trusts worth par, do you think?—I do not know.

2702. Do you know of any instance in which they have been sold considerably below par?—I believe that the Catterick Bridge and Durham bonds must be considerably under par, but I am not certain.

2703. If the holders heard that there was an arrangement going to be made by any such means as have been suggested for the payment of those bonds, would it not be probable that they would rise considerably in value?—They might.

2704. *Chairman.*] Would it not be possible to ascertain the valuation of those bonds?—I have no doubt it would.

2705. Lord *Henley.*] Would it be possible to obtain that information, founded on their market value for the last 12 years?—No doubt of it.

2706. Sir *William Jolliffe.*] Are the trusts in the immediate neighbourhood of Durham generally small trusts?—I believe so; a few of them at least are small trusts.

2707. The roads leading into Durham are most of them turnpike roads, are they not?—Yes.

2708. And on those roads there are tolls collected?—Yes.

2709. And that, in conjunction with the city toll, is very disadvantageous to the trade of your town?—Very disadvantageous.

2710. When this system of town toll was adopted, was it under the Local Act for lighting and paving?—Yes, it was.

2711. The inhabitants of the town selected that the system of lighting and paving the town should be paid by a horse-toll on the road?—A security was given on those toll-bars and on the general rates of the town.

2712. Then there was a double security?—Yes, a double security.

2713. Has it ever been suggested that this security should be wholly removed from the gates, and placed on the town only?—No, I think not.

2714. But there is still a debt of 6,300*l.*?—Yes.

2715. And your toll receipts are over 700*l.* a-year?—Yes.

2716. Therefore it would take 10 years to pay off the debt?—It would take 12 or 13 years.

2717. Would there be any great difficulty in raising this 6,000*l.*, and placing the security wholly upon the rates?—I do not think that there would be much difficulty about that.

2718. That would be very desirable, would it not?—Yes, it would be very desirable.

2719. Do you let your toll-gates?—No, we collect the money ourselves. We employ toll-collectors at all the gates, and we have a proper person who goes round once a week to collect the money from those collectors. We pay them so much a week, and we give them a house to live in, so that we get a good class of persons, and we have no reason to suspect their honesty.

2720. It is a benefit to be appointed to collect the tolls then?—We get more money that way.

2721. Have you tried letting the tolls?—Yes, we tried to let them, but the last biddings were small, and there was a sort of combination, so that we did not let them.

2722. Do you consider that the Town Council set some store on the patronage to those toll-collectors' places?—I think not the slightest; they would rather have them well let than have the tolls in their own hands; instead of that we have to appoint our own collectors and have considerably more trouble than we should have if we let them.

2723. Therefore that question of patronage could have no influence over the maintenance of this system?—Not the slightest.

2724. Has it not been taken into consideration by the Town Council whether it would not be better to rely wholly on the rates for the payment of the debt?—No; because we have been liquidating a certain sum every year.

2725. There would be no difficulty, I suppose, in raising money on the security of the rates of the town?—Not the slightest, I think.

2726. Colonel *Barttelot.*] It would be to your own interest to raise money on the rates, and to do away with the gates at once?—Yes; I think so.

2727. But you must allow that the inner gates had nothing to do with the turnpike trust beyond it?—Nothing whatever.

2728. Then that objection with regard to your inner gates, can have nothing to do with what you are here before the Committee to speak to to-day?—I think not.

2729. Taking the outside gates of the turnpike trusts, do you think that the county of Durham would be ready to sacrifice the tolls and to allow a county rate to be imposed on them to keep the roads in repair?—I think so; with those trusts that are not considerably involved in debt.

2730. Then all your trusts are not free from debt?—Certainly not.

2731. Are they heavily in debt?—Some of them are.

2732. What would you do with those that are in debt?—I cannot answer that question. I do not know what would be the best plan to adopt.

2733. But you think that notwithstanding the debt, the tolls ought to be done away with?—I think so, and managed in some other way than at present. I think that some plan might be adopted, either by borrowing the money and having it repaid by a county rate, or by the Highway Board, or something of that kind. The system of turnpike tolls is so objectionable, that I have no doubt that that would be done even by the trusts which are in debt.

2734. Have you not a large coal traffic?—Yes.

2735. Are the coals rated to the repair of the roads?—The collieries are.

2736. Have you any other minerals there?—No.

2737. Do you not think it fair that those coal carts should pay their quota by a toll on the road?—They do.

2738. But I suppose that they would not pay to the same extent as they do now if the tolls were done away with?—But the owners of the collieries would.

2739. Mr. *Western.*] They would be rated for the county rate, I suppose?—They would.

2740. Colonel *Barttelot.*] Are they rated to the extent of the value of their royalty on coal, or simply with regard to the coal mine itself;—I think that they are rated with regard to the royalty on coal, but I am not quite certain of that.

2741. Mr. *Western.*] The officers you employ are

are a clerk, a surveyor, and collectors?—For our own gates we have a collector once a week.

2742. Are the salaries of your officers paid out of the borough rate?—We pay the expense of collection out of the money we receive from the toll-bars; it is 10*l.* a-year only.

2743. What do you pay your clerks?—We have no clerk.

G. Robson, Esq.

9 May 1864.

FREDERICK ELLMAN, Esq., called in; and Examined.

2744. *Chairman.*] WHAT are you?—I am clerk to the Hollington and Hastings Turnpike-road, the Laughton Turnpike-road; in the Parliamentary returns called "Broil Park Gate to Battle," and the Hood's Corner Turnpike-road, in the same returns called "Beech Down to Heathfield and Robertsbridge to Hood's Corner."

2745. Are those some of the roads about which Mr. Gregory gave evidence the other day before this Committee?—One of them is: the Hollington and Hastings Turnpike Road. The clerk to the Flimwell Turnpike Trust is not a professional man, and I acted as his solicitor on the occasion of the passing of the last Act. I was once clerk for that road.

2746. You are familiar, I suppose, with those four roads?—I am familiar with them. There is also another road, which runs into the neighbourhood of Hastings and St. Leonards. I am not at all connected with that trust; but it will necessarily be referred to in speaking of the turnpikes in the neighbourhood of Hastings.

2747. What is the amount of those trusts in mileage?—The Flimwell Trust is 18 miles; it is the old London Road to Hastings, the first Act for which was passed in the 26th year of George the Second.

2748. Now will you take the next trust; which is that?—The next trust is a branch from that which is one of the new roads to Hastings; that is, the Hollington and Hastings Turnpike Road, which is 3¼ miles in length; then there is the St. Leonards and Seddlescombe Road, which crosses those two, and runs from St. Leonards towards Robertsbridge, with the branch which points towards the Staplehurst Station; that is about 16 miles in length.

2749. What is the next?—The Laughton Turnpike Road, which runs from Battle towards Lewes; the Hood's Corner Turnpike Road, which runs from Battle westward to Heathfield; and also a branch running from Robertsbridge southward, to join the first-mentioned branch about midway. The Laughton Trust is 18 miles in length, and the Hood's Corner is about 15 miles.

2750. That makes about 70 miles altogether?—Yes.

2751. What are the expenses of the officers in those trusts?—The expense altogether is about 52*l.*, for the establishment expenses of the Flimwell Road.

2752. What are the expenses of the Hollington establishment?—There is no salary paid there; the expenses connected with the trust (meetings, and so on) are about 11*l.* a-year.

2753. The St. Leonards Trust is about 14 miles, you say; how much are the expenses there?—I cannot say.

2754. How much are the expenses on the Laughton Trust?—There are the surveyor's and clerk's salaries, and expenses of meetings, which make the establishment expenses about 80*l.* a-year.

2755. What are the expenses of the Hood's Corner Trust?—£. 27.

2756. Do you consider that the management of those trusts is economical?—Yes.

2757. As economical as it could be?—I think so.

2758. Do you think that those 71 miles could not be looked after by one surveyor?—They might; but the surveyor does not have much. For instance, for the Hollington Road, they trust to the surveyor of the parishes, the parish keeping the road. For the Flimwell Road there is only a salary of 10*l.* for the surveyor; and for the Hood's Corner Road there is no surveyor, because it is divided between three gentlemen; and for the Laughton Road we pay 15*s.* a-week for the surveyor.

2759. Are those roads all repaired out of the trust-funds, or by the parishes chiefly?—The last Flimwell Act was passed in the year 1849, when the affairs of the trust were inquired into by a Committee of the House; and I think that the Committee sat for 12 or 14 days. By the Act, one-third of the tolls, after the payment of the establishment expenses, are to be a Repair Fund, and two-thirds are to be a Creditors' Fund.

2760. Is that one-third sufficient for the repairs of the road?—It does keep the road in repair.

2761. The parishes are not charged for the repairs?—No.

2762. What is the system adopted in the Hollington Trust?—On that trust the tolls are in the hands of the mortgagees, and the parishes are keeping the roads.

2763. What is the case at St. Leonards?—The whole of the repairs are made by the parish.

2764. How is it at Laughton?—There is no debt on the Laughton Trust, and the road is in very good repair.

2765. Do the tolls pay for the repairs?—Yes.

2766. What is the case at Hood's Corner?—There has never been any interest paid; that road was formed in the year 1813; three gentlemen subscribed 1,000*l.* each; other subscriptions increased the amount to 4,500*l.*, with which the road was made; but the tolls have never been sufficient to pay any interest. In the year 1852 the Act was renewed, and the old debt was extinguished; but the tolls for the road now are not sufficient to keep the road properly in repair.

2767. Out of those five trusts, three of the roads are more or less repaired by the parishes?—Yes.

2768. What is the general opinion of the neighbourhood with regard to the gates; do they wish them continued, or would they like the abolition of the gates; do you think it is practicable and expedient that the tolls should be abolished?—I think that if we could get the rate of interest reduced by a Government guarantee there would be a great saving.

2769. Do you mean if it was made a permanent charge?—Yes, a permanent charge; we do not consider that the turnpike securities are marketable securities now.

2770. Why not?—Because, although the Acts

F. Ellman, Esq.

F. Ellman, Esq.

9 May 1864.

of Parliament have been renewed from time to time, for instance, on the Flimwell Road, for upwards of a century, the Act is only renewed for a limited period.

2771. What has been the effect of railway traffic in that district?—The effect of railway traffic has been to reduce the tolls very much, but the tolls are now improving.

2772. By what parties are the tolls chiefly paid; are they paid by the pleasure traffic, or the long traffic, or by local traffic?—There is very little long traffic now. The tolls of the Flimwell Road were nearly 3,000 *l.* a-year 20 years ago, and now they are let at about 1,640 *l.*; they have been as low as 1,200 *l.*, and they are now gradually increasing. The towns of Hastings and St. Leonards have increased so rapidly, and still do increase so much, that the gates at that end of the road increase in value every year.

2773. Is that from the pleasure traffic?—From the pleasure traffic. Without the outlay that has been made upon those roads in the neighbourhood of Hastings and St. Leonards, those places never would have risen to what they are now.

2774. You think that the roads have been of great assistance to those towns?—Yes.

2775. Do you see any difficulty in raising money for the repair of the roads from the rates, assuming that those towns of Hastings and St. Leonards paid their proper proportion?—I see no difficulty with regard to the repairs. As an example of the increased value of the property through the formation of those roads, a fortnight since land was offered in the neighbourhood of Hastings for sale at the rate of nearly 5,000 *l.* per acre; that is the reserved price.

2776. Is that in consequence of the increase of those towns?—Yes; that is in consequence of the increase of those towns, and the facility of access by those roads.

2777. You think they could afford to bear the rate very well?—They could afford it at that end of the road very well.

2778. Would you propose that the rate should be thrown on the parish, or on the district, or on the county, for the repairs?—It would be fairer that Hastings and St. Leonards, which are benefited by the roads, should bear the charge.

2779. To a certain distance, you mean?—Yes.

2780. Might not that be done by their adopting the Local Government Act?—They do repair the roads in Hastings and in the town of St. Leonards, and on the St. Leonards and Seddlescombe, and the Hollington and Hastings Roads, and they repair the Flimwell Turnpike Road as far as it is within the borough.

2781. How far does the town of St. Leonards extend?—About a mile.

2782. How far does the borough of Hastings extend?—About a mile, to the top of the hill where the turnpike-gate is.

2783. What would you do with the debt; how would you get rid of it?—I think that to get rid of the debt, if the money could be advanced by the Government, acting on the same principle, or taking the same scale, as they did for the Flimwell Road when that Act was renewed, and paying three per cent. interest and one per cent. principal (or perhaps a larger amount of principal), that would do. Whether the Government would place any part on the county rate for the repayment is a matter for consideration.

2784. From what source is the repayment to come?—It is a question whether it should be on the county, or whether it should be confined within a limited district.

2785. You would not keep up the toll-gates for the purpose of paying that?—I think the public pay very dearly now, because there is so much cross-traffic, and not the long-traffic which was the traffic which we depended upon when the debts were incurred, and for which principally the roads were made. It would be a great saving if the money could be collected by some other means. There are now, perhaps, two or three collectors to pay to get one toll, because there are catch-gates put on for the purpose of catching traffic, one gate clearing the other.

2786. You would collect the money by a rate either on the county or on the parish, rather than by toll-gates, for the purpose of the debts?—Yes.

2787. You said that, excepting the pleasure traffic on the St. Leonards and Hastings Road, you consider that the traffic is pretty nearly local?—Yes. The last lettings of the toll-gates on the Flimwell Trust Road were as follows: The Hurst-green Gate, which is at a distance of about 15 miles from Hastings, 285 *l.* That takes a good deal of the cross-traffic and the traffic that comes from Hawkhurst, and other places in Kent, to the Etchingham Railway Station. The North Bridge-street Gate, which is just at the northern end of the town of Robertsbridge, produced only 88 *l.* That gate used to produce nearly as much as the Hurst-green Gate before the coach-traffic was taken off. Then, in the town of Robertsbridge, there is a gate called Clapper's Gate, which is for the purpose of paying a debt which was incurred for constructing those seven bridges which were built there, through what was formerly a swamp. The tolls at Clapper's Gate amount to about 90 *l.* Then there are two gates between Robertsbridge and Battle, which are now made to clear each other. Those two gates let at 120 *l.* a-year for the two. Between Battle and Hastings there is the Battle Lake Gate, which catches the traffic to the Battle Station. There is another gate which clears and is cleared by it, about two miles nearer Hastings, and the two gates are let together at 405 *l.* There is another gate at the top of Hastings Hill, which lets for 745 *l.* The amount of tolls for the last letting is 1,643 *l.*, whilst in the year 1853 it was only 1,217 *l.*

2788. Are you aware of the evidence given by Mr. Gregory, with regard to the oppressive nature of the tolls, and the impediments which those tolls create to the traffic and locomotion in those districts?—Mr. Gregory is so situated that if he is driving to Hastings he has to pay a good many tolls.

2789. Is not that system, in your opinion, a vicious system?—Great improvements have been made from time to time by creating those new trusts. For instance, until the year 1836, when the Act was passed for the Hollington and Hastings Trust and the St. Leonards and Seddlescombe Turnpike Trust, there was only one trust, considering as part of the same trust the Clapper's Gate which was kept to a special account; that was a bridge-toll, which, in fact, ought to have been a county matter, and not a local matter.

2790. Mr. *Fenwick.*] Do you approve of a system which compels Mr. Gregory to pay four times for passing over so short a distance?—I do not see how it is to be avoided as long as you keep up the turnpike tolls.

2791. Is

2791. Is it not an evil, and an injustice, that person travelling three or four miles should ave to pay three or four turnpike gates, merely ecause he has to go over three or four different rusts?—The country has been greatly improved y the formation of the turnpike roads; and near Ir. Gregory's residence (in fact, I may say, for wo miles either way, north or south) he goes pon roads which have been constructed almost ithin entirely the last 25 or 30 years.

2792. Is it not an inequality of treatment, hat one man should pay three times for a short istance, while another man may go a longer istance and not pay at all?—You would not find so on that trust; it is only 18 miles long. If e wishes to go to the Etchingham Station he pays ne gate; if he wishes to go to Robertsbridge he ays two gates; and then there is a third, in order o get to the Robertsbridge Station, which in act is for a bridge, which ought to have been a ounty matter.

2793. *Chairman.*] Mr. Gregory stated that he aid 4*s.* 8*d.* in going to Hastings, the railway are being 4*s.* 9*d.*?—If he drove from his own ouse to Hastings it would be 2*s.* for a horse; nd if he went to St. Leonards there would be n extra toll in consequence of his going on the t. Leonards Trust.

2794. He would pay 4*s.* 8*d.* in all?—Yes, for pair of horses drawing.

2795. Mr. *Fenwick.*] What is the distance om Mr. Gregory's house to the railway station? -Not quite three miles.

2796. Do you mean to say that there is no art of your trust of 18 miles that a person can- ot travel on (for more than three miles) without aying toll at all?—There are parts a person can avel on for more than three miles without aying toll; if Mr. Gregory wishes to go north- ard from his house, he would pay no toll.

2797. So that there is an inequality of treat- ent?—Commencing from the north end, the urst Green Gate is two and a-half miles, the orth Bridge Street Gate four and a-half miles, he Clapper's Bridge toll is five miles, the Ro- ertsbridge gate is five and a-half miles, and the irgins Lane gate is nine miles, and those two ear each other; then the Battlelake gate is 0½ miles; then the Black Horse gate is 12 miles, nd they clear each other; and the Hastings ate is 17½ miles.

2798. Is it the case that you may go three iles on that road without paying any toll at all? -Yes.

2799. And yet, when Mr. Gregory goes three iles, he has to pay two tolls?—Yes.

2800. Is not that an inequality?—He passes er two trusts.

2801. Is that system a fair system?—It is the ultiplicity of the trusts which causes that.

2802. *Chairman.*] Do you approve of the mul- olicity of trusts?—No.

2803. Mr. *Alcock.*] You spoke of five trusts ear Hastings?—Yes; two of which are distant x miles from Hastings.

2804. And you said that one of those trusts d no debt?—Yes; that is the Laughton Trust.

2805. How many miles is that?—About 18 iles.

2806. How much toll do they collect there? -£.562.

2807. How long has that trust been out of ebt?—For nearly 40 years.

2808. And you have been collecting tolls there without an Act of Parliament?—It is continued from year to year.

2809. How long has it been continued?—The last renewal was in the year 1821.

2810. And you have been collecting 562*l.* a-year without a special Act at all?—Without a new Act. The Trust has been under the General Continuance Act.

2811. *Chairman.*] For the repairs only, I suppose?—For the repairs and improvements which have been made.

2812. Mr. *Alcock.*] Did you not apply the last time you went to the Home Office for that Continuance Act, that you might take those tolls off, or did they not suggest it to you?—No; we have not applied to the Home Office at all.

2813. But you are under the Continuance Act, are you not?—Yes.

2814. And therefore you would have to go to the Home Office?—No; the Continuance Act declares that the trusts are continued, unless named in the schedule.

2815. You have not been to them, and they have not been to you?—They have not been to us.

2816. Mr. *Baring.*] I apprehend that the parishes through which the trust passes might, if they pleased to memorialise the Home Office, have had the trust excluded from the Continuance Act, and have taken the maintenance of the road on themselves?—They might have done so; but it is not their wish.

2817. Would it be considered satisfactory by those parishes if a law was to be passed making it compulsory on them to take the repairs of those turnpike roads?—Under the new Highway Act, perhaps they might; but under the old Highway Act, and as the Sussex roads have been, it has not been the wish of the gentlemen of the county that the turnpike road should be given up.

2818. Is that all under one highway district? —No.

2819. How many highway districts are there? —I am not sure whether any portion of it would be in the Lewes district, or the Hailsham and Hastings districts only, but it is in two districts, at all events.

2820. It would be necessary that two highway districts should agree to take the repairs of the road, I suppose?—Yes.

2821. Mr. *Walter.*] No parish would have any object in discontinuing turnpikes within its district unless neighbouring parishes did the same? —Just so.

2822. You spoke of some bridge in the district which ought to have been repaired at the expense of the county; what was the expense of that bridge?—The recital of the Act was, that the site of the road was, from its low situation, subject to deep and dangerous floods, for which reason it was absolutely necessary that the road should be diverted from its course for 40 roods, and that a bridge should be built thereon, which would require a great expenditure, for which reason it was necessary that a new toll-gate should be built.

2823. Toll is taken in order to keep the bridge in repair, then?—Yes; there are seven bridges.

2824. Then why do you say that that bridge should have been repaired by the county?—On the principle that bridges generally are repaired by the county.

2825. But why should bridges be so kept in repair by the county any more than roads?—I

F. Ellman, Esq.
——
9 May 1864.

see no reason for that, but I say that this bridge should have been so, because bridges generally are kept in repair by the county.

2826. Do you hear any complaint on account of that bridge not being chargeable on the county; do the ratepayers think that it is any hardship to repair the bridge?—The bridges are repaired out of the tolls.

2827. Do you see any reason (a bridge being part of a great thoroughfare) why no complaints should exist with regard to that being kept in repair by the county rates, and yet that objections should be taken to the keeping of the roads in repair by county rates; is there any great distinction between the two cases?—No, I do not see any.

2828. If the maintenance of turnpike roads devolved on the counties, do you think that after a lapse of time there would be any more objection to that, than there is now to the maintenance of bridges by the counties?—No; but I think that if we had depended on the county for the maintenance of the roads, no improvements would have been made in the road near Hastings and St. Leonards.

2829. But supposing that you have got the road, and supposing that you could transfer the maintenance of those roads from the persons who pay tolls to the counties, in a very short time, people would acquiesce, as they do now, in the maintenance of the bridges, would they not?—I think they would.

2830. Lord *Henley*.] It would not be for the Highway Boards to agree to undertake the turnpike roads, but for the parishes, would it not?—It would be for the parishes.

2831. If the parishes agreed, the Highway Boards would be obliged to take the maintenance of the roads?—Yes.

2832. Sir *William Jolliffe*.] The Highway Act has just been put in operation in your district, has it not?—Yes.

2833. You stated that it would promote, rather than otherwise, the taking of the turnpike roads as a parochial charge?—Yes.

2834. And that there would be less objection to put them under the Highway Board than there was to put them under the old surveyors?—Yes.

2835. I think you stated that you were once clerk to the Flimwell Trust?—I was once clerk to that trust.

2836. It was in 1851 that that trust was before Parliament, was it not?—It was in 1849.

2837. Can you state the amount of the debt on that trust at that time?—The mortgagees' debt at that time was over 20,000*l*., and there were simple contract debts owing, part of which were converted into mortgage debts. £.464 16*s*. 3*d*. of the debt was directed to be paid off, and there was 4,000*l*. besides of the debt that the parties had opportunities of taking mortgages for. There were no arrears of interest then, but there were expenses connected with making the last improvements in the road.

2838. What was the whole amount of the debt?—Upwards of 25,000*l*.; about 26,000*l*.

2839. What is the amount of the debt now?—Now it is 22,400*l*.

2840. So that only about 4,000*l*. of the debt has been paid off?—Just so.

2841. And the renewal of the Act limited one-third to the repairs of the road?—Yes, one-third to the repairs of the road, and two-thirds as a creditors' fund. The interest last year would be about 600*l*., and the principal to be paid off would be, say, 250*l*., which is about 850*l*. Th toll that came into last year's account was abo 1,450*l*. There has been a considerable increa in the last letting.

2842. Then as the toll is increasing and t debt is diminishing the operation will becon more rapid each year?—Yes.

2843. Do you know what the value of the bon is?—There has been no transaction to test the val of any of the Flimwell debt since the last renew of the Act; but previously a few transfers we made all at par. On the Robertsbridge Clappe Trust the interest payable is 4 per cent., and whe tenders were sent in for some of that debt bein paid off, they were at 80 per cent.

2844. That Clapper's Gate is kept as a separa account, is it?—Yes. The debts remaining o those trusts are 22,242*l*. The Robertsbrid and Clapper's Gate Trust is 1,513*l*. Hollingte Trust, 11,490*l*. St. Leonards and Seddlescomb Road was, in the last return, 15,850*l*. A larg portion of the debts are held by persons havin no local interest who took mortgages or transfe as investments on faith of the continuance of th Acts, some of the debt being trust money, an other parts held by females.

2845. Colonel *Barttelot*.] The honourab Member for Berkshire asked you a good de about county bridges. Are you not aware th there are a great many bridges which are not r paired by the counties?—I am.

2846. There are a great many bridges repaire by copyholders and holders *ratione tenuræ*?—N There are a great many hundred bridges an some parish bridges.

2847. You confine your answer to East Su sex?—Yes, in East Sussex that is the case.

2848. There are a great many hundred bridg there, are there not?—Yes, there are a gre many hundred bridges.

2849. It would be only fair that those shou be repaired by the county, if the roads we taken by the county?—Yes.

2850. Do you know the Hailsham district?- Yes.

2851. Are they not very much averse there the abolition of turnpike tolls?—Yes.

2852. Is it not the fact that they are ver much averse, also, in the Hailsham district being formed into a highway district?—Ye Mr. Darby is the chairman, we consider, of th Laughton Turnpike Trusts.

2853. Do you think, looking at the distri that you have to deal with, that the feeling of th district is that those who use the roads shou pay for their repair; that is to say, that the should pay a toll for keeping up the repairs the roads?—No, I do not think that. The reaso why there has been a strong feeling for keepin the turnpike roads, although there is no de upon them, is the difficulty of getting the pari surveyors to keep the roads in a state fit f gentlemen to travel on.

2854. Then you think the system just as it now altered by the adoption of the new Highwa Act?—If the districts are not too large, the i tention of the Act is good; I think the great mi take, and the cause of the opposition to it in Ea Sussex, is the enormous districts which they a trying to form.

2855. Mr. *Walter*.] That is with a view economy, is it not?—They are making three an four unions into one district.

2856. Mr. *Western*.] I understood you to s th

at you thought it not oppressive that the roads ould be maintained by the county in the same ay as the county bridges?—I see no objection it.

2857. Do you think that that proposition would e received with favour by your county?—It ould be received with less favour by the rate-yers than it would be by the county generally.

2858. You propose that all trusts should be t into the hands of the county for the mainte-nce of the roads, both those which are in and ose which are out of debt?—Yes.

2859. Of course the county surveyor would equire more assistance, would he not, and there ould have to be, as in the case of county bridges, a committee appointed?—If the trusts are done away with, I cannot conceive that it would be placed otherwise than under the care of a high-way district surveyor.

2860. Do you think that the feeling is general in the county of Sussex in favour of abolishing turnpike-gates?—I cannot say that there is much feeling on the matter.

2861. You said that you paid a surveyor in the Laughton district 15 *s.* a-week for 18 miles?—Yes.

2862. The duties of the surveyor are of course to look after the roads; does he provide any material?—Yes.

2863. Stones and labour?—Yes.

Sir Joseph Paxton, a Member of the House; Examined.

2864. *Chairman.*] I believe that you are desirous of making some statement to the Committee respecting the effect of turnpike gates on the Crystal Palace?—Yes; I wish to speak to that question first, and then generally with regard to the turnpike question. As honourable Members are, no doubt, aware I have been engaged in the neighbourhood of Sydenham for the last 13 years, and I have constantly had opportunities of seeing the effect of the turnpike system; in fact, I drive in the summer time into town each day. London, on the Surrey side, has, in my opinion, been laid out in the worst possible manner, both for property and for the public, in order to converge the roads upon certain turnpikes which you must come through on that side. The making of new streets and new districts has been very much impeded by the manner in which the toll-bars are disposed. But what I want to refer to more particularly, is the Dulwich Turnpike, which is a private trust belonging to Dulwich College; the Dulwich College property has, within the last 13 years, very largely increased in value. When I first went up to reside in the district, all the upper wooded part of that hill was considered to be worth about 60 *l.* or 70 *l.* an acre in extreme value; and now the value is about 1,300 *l.* per acre. If you wanted to build a house up there to-morrow they would ask you from 1,000 *l.* to 1,500 *l.*, and even 1,800 *l.* per acre. In the very early part of my residence there, I proposed to the proprietors of Dulwich College a plan for laying out the approaches through their property to the Crystal Palace; I had levels taken, and I pointed out to them how roads might be made so as to get complete and very excellent accesses to the Norwood district, and very much better than the present road; and which would enable them to build on each side of the road, giving very good gradients up to the Palace, which at present, in some places are something like 1 in 12, 1 in 13, or 1 in 14. They, through their surveyor, declined to adopt this scheme, although I saw the late Sir Charles Barry on the subject several times, and pointed out to him the importance of it. I pointed out also that they might do it, so as to get rid of that miserable road that the turnpike is on, because that is a bad road, and I wanted, in fact, to do away with the turnpike altogether. I pointed out to them how much their property would be enhanced in value if they had those roads laid out in the way which I described, and gave up the turnpike altogether; but they did not do so. They have now laid out their property in the worst possible way; and from that turnpike road which goes from Dulwich to Norwood and Penge, they have begun to put their streets at right angles; thereby precluding for, I may say, all time, the possibility of making two beautiful approaches which might be made up there, and which would increase the value of the property very largely. Now on the other side of this turnpike gate, there has not been a single house built for 13 years. What has been built has been built on the London side, except on the top of the hill where they do not come down the Dulwich-road at all, and where they must go to the Sydenham Station and the Gipsey Hill, and other stations near the Crystal Palace; but in consequence of the manner in which they have dealt with this question, I have no hesitation in saying that they are losing an annual rental of something like 3,000 *l.* to 4,000 *l.*; whereas now, that turnpike must bring in about 500 *l.* a-year.

2865. You think that that was all done out of a superstitious veneration for this turnpike?—Most decidedly; and I am quite astonished at it. I could quite understand it in days gone by, before that college had what they call a reformation, which I am bound to say I do not think very much of a reformation at all. I say I am astonished that the Dulwich College trustees should not have seen the propriety of dealing with this question largely, and sweeping away that turnpike gate altogether.

2866. I presume that you do not attribute the want of houses on the other side of the gate to the want of money; but to the impediment caused by that turnpike gate?—It is the impediment and the bother of the stoppage; on certain days going up to the Crystal Palace it is like a Derby day—people stop at the gate for no one knows how long. There is a great ditch at the side, and in many cases people have been thrust into this ditch on account of the pressure from the road; I believe that they left this road in the most scandalous manner. The parish light up the road as far as the turnpike, but beyond the turnpike, and up through the trust to the top of Sydenham-hill there is no light at all; you go through that wood on a very dark night, and they never even light the road, and very often it is kept in a very bad condition.

2867. The Committee have had a witness before them from Derbyshire, who stated that Derbyshire was a very peculiar case, owing to the mineral traffic, and that therefore no abolition of

Sir *J. Paxton*, M.P.

9 May 1864.

turnpikes could take place there; will you favour the Committee with your opinion about tolls in that county as related to the coal and mineral traffic?—There is very little mineral traffic, except on the higher bit near Chesterfield; the mineral traffic to which you refer is chiefly the diffusion of minerals from the railroads; generally speaking, heavy traffic to the midland stations comes from parish roads connected with the district, and not from the Hurnstone Lane Head Trust.

2868. It was stated by the same witness that it would be impossible to rate collieries so as to get out of them as much as they now pay in tolls. Do you know Mr. Barker's colliery?—Very well.

2869. Does that colliery pay any tolls?—I believe not.

2870. It escapes the payment of tolls altogether, does it?—Yes, it escapes the tolls.

2871. And uses the roads?—And uses the roads.

2872. How far?—For perhaps a mile. When you come into Chesterfield they repair their own roads.

2873. The traffic from that colliery uses the roads for a distance of something under two miles, does it not?—About a mile and a-half, not quite so much perhaps.

2874. That would be an instance of a colliery not being fairly caught by the toll-gates, would it not?—My notion really is that the tolls are a great detriment to the towns themselves. I believe that the collieries which exist in the neighbourhood of Chesterfield, and which do not go on this turnpike trust, have been the making of Chesterfield, and the making of the district. Considering the character of the town, Chesterfield has increased more than almost any town that I know of, since the minerals have been carried to their destination by railway.

2875. A former witness stated to this Committee that the pleasure traffic was very considerable in that neighhourhood?—You may almost say that there is none; that is a dead letter; there is not a coach a day.

2876. He was asked this question, "With regard to the pleasure traffic, do you think that people who come into the country in the summer bestow an advantage on the country which would be an equivalent at all in any way for the abolition of those tolls, and the substitution of the rate system?" and then his answer is "The advantage of that traffic is felt entirely at the terminus where the people go to, and not at all on the transit. With regard to the parish of Brampton, they do not remain there; they go to Buxton, and so on;" do you agree with that evidence?—The Chesterfield people may go over to Chatsworth or Matlock, but from its nature the Chesterfield traffic is local traffic entirely; the public have no communication there; you can hardly obtain a post-chaise in order to go across the country. The traffic around Chesterfield is completely localised. There is no public conveyance at all over to the district of Chatsworth or to Matlock. With respect to the number of persons that go from Chesterfield to Buxton, I should say that they are very few, and that if they do go at all, they go round by Ambergate. There is a large agricultural district lying in the neighbourhood, and the farmers of that district take their produce into the market, and bring back coals to their farms.

2877. Do you think there is much ironstone there?—There is very little in the district of those roads; there is a great deal in the dist generally.

2878. How does that find its way out?— some places it goes on tramways; for other p there is the Chesterfield and Sheffield Road, there are the by-roads leading from Chesterfiel a place called Barlow. There are two roads Chatsworth and Bakewell; they were not c tent with one turnpike road, which was a v good one, but they thought they must m another, and it is quite clear to me that t made that road to suit the property, and not suit the public; the old road is as good a r as the other; the two roads are parallel on two sides of the valley.

2879. What is the distance between them? About half a mile, but in some parts they bu out, and perhaps they may be a mile apart; t made the second road to suit the agricultu district, and to give accommodation to it.

2880. Is it, on the whole, your opinion t your Derbyshire traffic is chiefly local?—Qu so; it is all local, with the exception of the tra on the one turnpike trust coming from Sheffie there is a great deal of pleasure traffic comes o the hills from Sheffield. The Midland Railw brings all the rest of the traffic up to Matlo Rowsley, Bakewell and Buxton, and there th are very near to Chatsworth, and they hire c riages to go round the district; I contend that t inhabitants are very much benefited, and all those places are improved very much indeed account of the additional local traffic.

2881. What would be your idea with rega to the mode of dealing with the repair of tho roads on which there was no debt?—If the was no debt, they might revert to the old syste of parish repairs.

2882. Would your idea be to put it on t parish, the district, or the county?—I will tell y what my idea is for getting rid of toll-bars alt gether. I would classify trusts into three differe schedules. I must tell you that there is an eno mous expenditure connected with those bye-gate and the setting of people there; the tolls a almost monopolized. I believe it is Leeds me generally who come and take the tolls; and if man in the district wants to take a turnpike tho great contractors come and lose 200*l.* or 300 a-year rather than that a local man shall have i one of those great contractors will take a trust f 40 or 50 miles round there. There is a sort company of them, in fact; and they do their be to ruin any ordinary person who tries to obtain lease of the tolls. Well, to proceed with m scheme: the trusts that did not pay any intere I would put into Schedule (A.); I would tak secondly, the trusts that pay some interest an some of the debt; these I would put into Sch dule (B.) Then I would take the third class trusts, trusts which are paying themselves o and those I would have valued; I would have county valuation; I would rather that the count should deal with those questions; and I woul have the county itself issue a commission to loo over the various trusts; and after it had bee settled what would be the fair amount to pa under Schedale (A.), which I apprehend woul not be a great deal, and what would be fair pay under Schedule (B.) and Schedule (C.), whic would, of course, all depend on the valuation, should then put them all into one pot, and mak a county rate, and let it be like terminab annuities, going over a certain number of years

2883. *Chairman.*

2883. *Chairman.*] How would you raise the money?—On the credit of the county; I would put the whole thing on the county, because generally the business of the county is better transacted, and you would have a great difficulty in dividing the districts.

2884. What would you propose with regard to the repairs?—I think I should keep them generally on the parish; there might be some instances where it would hardly be fair; but I should consolidate the districts in such a form, that a good surveyor could go over a certain quantity of road, and see that it was thoroughly well kept up.

2885. The plan not being very different from that of the present highway districts?—Just so; I should not differ from that, I think, on the whole; and then I should let the assessment be as proposed at the present time on the parishes; that is my idea of a fair way of getting rid of the difficulty, and abolishing turnpike tolls.

2886. Colonel *Pennant.*] With regard to that toll-gate at Dulwich, I think you said that there had been a good deal of building on this side of the toll-gate?—Building has been going on to some extent, and they are laying out ground for building.

2887. On the other side, is there any building?—There is none, except close to the Crystal Palace, where the people do not come down this road at all.

2888. And you attribute that to the block at the gate, do you?—I say that, supposing it to have been a good road from Dulwich to Sydenham, along that beautiful hill with the oak trees, I have not a doubt that almost every bit of it could have been let for building purposes, on building leases.

2889. You stated that the block at the gate was a great nuisance?—Yes.

2890. It operates to a certain degree, you think, in preventing building?—Partially; in fact, people who came to live in the neighbourhood of a toll-bar, if they had to pay the money once a year, would trouble themselves very little about it, but they do not like stopping and having to change; then, if they want a cab to the railway station, they have to pay toll for the cab.

2891. You think it is the payment they care about, not the block?—The block also.

2892. Now, with regard to the traffic of Derbyshire; is there not a good deal of pleasure traffic through the Valley of Matlock?—Matlock is terribly oppressed by turnpikes. There are no coaches through Matlock, and no conveyances. There are two stations at Matlock, and the turnpikes entirely encircle them. People come there for the benefit of their health; but they cannot get on a bit of level road to take a drive without going through some turnpike gate. There are three trusts meeting in that neighbourhood, and I think it is a very great detriment indeed to Matlock. I have myself two mills at Matlock; and my tenants compound with the trust (it is a Nottingham Trust that comes to Matlock), but they put the turnpike just above my property, and they take all that pleasure traffic. Matlock has increased in value and population in the last 14 years as much as any place in the county; but they are all anxious to get rid of turnpikes, and the parishes are willing to take their proportion.

2893. You do not think that such a rate as you suggest would fall unequally on the different descriptions of property?—Not at all.

Sir *J. Paxton*, M.P.

9 May 1864.

2894. There is a good deal of iron in Derbyshire, is there not?—Yes, and lead. There is one particular road in Derbyshire which has been abandoned by the Turnpike Trusts, a good deal of it. Twenty years ago, the Duke of Norfolk, the Duke of Devonshire, and the Duke of Rutland, agreed to guarantee a considerable sum of money to make a turnpike road between Sheffield and Glossop.

2895. You refer to a road which has been already before this Committee, in which the pen was struck through 100,000*l.* of debt, and 6,000*l.* left?—Yes; and a good part of that road has been abandoned. Without a road, the whole of the country would have been impassable; you would hardly have been able to get along from one part of the district to the other without a road. It was necessary to the value of the owner's property to make that turnpike road down to Glossop. The Duke of Norfolk and the Duke of Devonshire had a very large property there; the Duke of Rutland not quite so large; but the property of the Duke of Norfolk and the Duke of Devonshire was immensely improved by the making of that turnpike road, though it has paid nothing.

2896. But do you not think that it might occasionally be a hardship upon a parish of small rateable value to have to support a road of very great length of mileage, which happened to run through it, but which was very little used by it?—There is very little traffic on this road; and I think they keep it up as well as they did before, now that the repairs have been thrown upon the parish.

2897. *Chairman.*] Perhaps material is very easily got there for repairs?—That all depends; in some places it is not so. Limestone is the best material, but they do not always do it with limestone.

2898. Colonel *Pennant.*] A great deal of mineral property is not rateable upon any of the minerals, except coals; is it not so?—Yes, I am aware of that.

2899. Do you not think it rather hard that repairs made necessary on a road by mineral property passing along the road should be thrown upon another description of property which did not go on the road, while the mineral property did not contribute?—I have always thought it fair that mineral property, lead mines, and so on, should be rated.

2900. You mean that it should be rated on its rental value?—Yes.

2901. That is not the case at present, you are aware?—I am aware it is not; but it ought to be.

2902. You think that the case I have put to you about mineral traffic will involve an injustice unless that be done?—I certainly think it would be just to rate mineral property.

2903. Are you aware that a Committee sat some time ago, on the subject of rating mines, and published their report, which ended in no practical results?—Yes; but I am of opinion that all property should be rated fairly.

2904. Some evidence has been given before this Committee to the effect that mineral properties were so mixed up with land in their vicinity, that the burden thrown upon one would be repaid by profit on the other; but is it not the fact that there is mineral property in Derbyshire

Sir *J. Paxton*, M.P.

9 May 1864.

and Yorkshire—take Grassington, for instance—which is perfectly distinct from the landed property?—Yes; and in Derbyshire that is very peculiar. Everyone can go and dig and delve wherever he likes. If any one thinks there is lead under the surface, he can go and put the stakes down, and keep them there for so many days, and then he goes to the bar-master, and can take up the ground in any place, wherever he likes, except in a garden. Then he goes down and searches for the minerals. If you ask the old miners in that district, they will tell you that they have a better title to the minerals than the surface people have to the land; and that has been so from time immemorial.

2905. The possession of the minerals is quite distinct from the possession of the soil?—Quite distinct; the Duke of Devonshire and the Duke of Buccleuch have a large quantity of hematite ore, which is quite independent of any ownership of the soil.

2906. And the minerals are not rated?—I think not.

2907. So that the owner of the soil would derive no benefit by reason of his minerals, which would be equivalent to the additional burden thrown on the land?—Just so; I really cannot see why any distinction should be made as to the rating; I think the property coming out of the earth should be fairly rated with other property.

2908. Any imposition laid upon property for the purpose of repairing a road should fall upon mineral property just as it falls upon any other property; that is your opinion, is it?—Yes.

2909. *Chairman.*] Are you aware that the reason given by the judges in interpreting the statute of Elizabeth so as to exclude minerals was, that it was wrong to discourage mineral adventurers?—I did not know that.

2910. Do you think that it is a consideration which should weigh with us in modern times?—I certainly think not.

2911. Sir *William Jolliffe.*] Do you think that if other mines were rated as coal mines are, that would accomplish a proper rating of property?—I think so; the mines would come into the parish rating. If you have a parish, and the stuff is got in the parish, the mineral traffic is very local indeed; because if there is a sufficiently large traffic, there is a railway or a tramway made to it directly by the parties themselves, that being the cheapest and easiest way of getting the stuff to market.

2912. Mr. *Western.*] In coal mines the rating is put on the royalty, is it not?—Yes.

2913. Colonel *Pennant.*] With regard to manufactories in manufacturing districts, they cause a very large amount of traffic, do they not?—Yes.

2914. Which is carried on heavy waggons?—No doubt.

2915. So much heavy traffic as in some cases to necessitate the paving of the roads; is not that so?—Those districts are served by railways; heavy carting is mostly carried on in towns and round about towns.

2916. But is not there still a good deal of such heavy traffic between some of the large manufacturing towns?—No doubt.

2917. The rating is in that case on the house and buildings, and not on the profits derived from trade, is it not?—I am afraid that the question of rating which you now suggest is one through which I do not see my way.

2918. Are you not acquainted with parishes in Lancashire and Yorkshire where there is a large amount of mileage of turnpike road within parishes whose valuation is not large?—Yes.

2919. Do you not think that it would be a hardship if the whole of the mileage were thrown on such a parish; do I not understand your scheme to be, that the debt should be ascertained by assessment, and that it should be paid off by the county?—Yes.

2920. And that the repairs should be thrown on the parishes?—Yes.

2921. But many of those moorland parishes in the north of England might have a very large amount of mileage of road running through them, and yet be of a very small rateable value, might they not?—I really think not; because I believe, from my knowledge of the railroad system of those districts, that there is hardly a valley now without a railway; they never think of making a road, and they carry the traffic on to the railroad.

2922. But there must be other roads, of course?—That would be for local traffic.

2923. Do you not think that heavy burdens might be thrown upon poor parishes for long mileages of road?—Hardly, I think.

2924. Did you ever pass over Shap Fell?—Yes.

2925. There is a very long road there, with property of very low rateable value at the sides?—Yes, and there is very little traffic on the road.

2926. Does not the weather, with the floods in the winter season, create a necessity for a good deal of repair of the road?—No doubt; but I think that if you or I possessed Shap Fell, we should both be very well satisfied to pay for the road.

2927. Mr. *Alcock.*] I think you stated that the toll on the Dulwich road belonged to Dulwich College?—It is private property; I do not know the exact conditions of it.

2928. That its value was about 500 *l.* a-year?—Yes, I think so.

2929. Do you not think that it would be a good plan to give up the toll entirely, with a view to the improvement of the value of the property there?—Certainly; if I were the owner of the property, I would give up the toll to-morrow morning.

2930. Do you think that in relinquishing 500 *l.* they might be laying the basis for 5,000 *l.*?—I have no doubt about it.

2931. You have referred to the large toll contractors buying some local men out of the markets; did you ever hear of Mr. Levi, a toll contractor, who is said to have died worth above a million of money?—I have heard that.

2932. Mr. *Baring.*] Have you considered what Act of Parliament will be necessary in order to carry out your view for the abolition of turnpikes?—I have stated what would be my way of doing it.

2933. Would you propose that the action of the counties should be voluntary?—Not at all; I would have every toll-gate in England knocked down to-morrow if I could.

2934. You would, in fact, pass an Act of Parliament, compelling the counties to deal with their turnpikes in a certain way?—I would, and I would oblige every county to do it at once.

2935. Would you do that without giving the ratepayers an opportunity of expressing their opinion?—You pass laws in this House without giving

giving every person in every district the power of saying whether he likes them or not, and in view of an alteration so excellent and so important, I should have no hesitation in passing an imperative law.

2936. *Chairman.*] You think that the intelligent minority might be allowed to govern in this case?—Certainly.

2937. Mr. *Baring.*] Would you interfere with respect to the turnpike gates which exist in towns under local Government Acts?—I have a different notion perhaps about the small towns; I find that all small towns have bad roads in them. I should take the management of the roads through small towns, and deal with the towns up to a certain number of inhabitants, and consider them as part and parcel of the system; but when I came to the large towns, then I would make it a town question.

2938. Colonel *Pennant.*] You mean that they would contribute to their own roads?—They would contribute to their own roads for a certain district around them.

2939. They would not come into the valuation of the adjoining parishes?—No.

2940. *Chairman.*] Small agricultural towns you would bring into the area of the districts?—Yes.

2941. Mr. *Baring.*] But you would not leave any turnpikes existing in the towns?—None at at all. I would knock down all the turnpikes to-morrow if I could.

2942. Therefore you would deal compulsorily with the towns as well as the counties?—Yes, certainly.

2943. You would deal compulsorily with those who would have to take upon themselves the debt, and also to maintain the road in future; you would force the county to assume the debt, and the repairs of the roads as well?—Yes; I would in all cases make the counties take the debt at once, and distribute it.

2944. In the same way, on the other side, you would enforce the termination of the different trust districts, and the different Acts of Parliament under which the trusts now are, you would, by legislation, oblige them to cease upon the action of the county?—Yes.

2945. And would you give the persons who are the creditors of the trusts, and who have lent the money on the faith of those Acts being continued, any power of dissenting or protesting with regard to the extinction of the debt?—I have no doubt they would protest, but I would make the thing imperative, and would deal with it as a thing to be done absolutely upon public grounds; but I hope I have made it clear that I do not propose to confiscate the money; I would only say to these people, "Your plans are nationally bad, and locally bad; it is all bad together, and you must come into this sweeping measure by which I do away with the entire system."

2946. As far as I understand you, you would oblige the counties to value the debt in each turnpike trust, and oblige the creditors of the trust to accept that valuation?—Yes; that would be the system, just the same as taking hold of any other property by Act of Parliament.

2947. You think, then, that the grievance or inconvenience of the toll system is of such national importance as to render it expedient to introduce a measure of such very strong interference with freedom of action on the part of counties, and the rights under the Acts of Parliament of the creditors of the trusts?—Yes, I think so; otherwise I see no way of dealing with the question.

Sir *J. Paxton*, M.P.

2948. Mr. *Walter.*] You look upon the roads as part of a national system, and not as separate isolated matters having nothing to do with each other?—Just so.

9 May 1864.

2949. Roads a hundred miles off from each other may form parts of one connected national system?—Certainly; it is a network of roads all over the country, connecting the whole of the property of the country.

2950. Therefore you think that any system for dealing with those roads must be a general system?—Yes.

2951. You have had great experience in the management of landed property, and have great knowledge of the feelings of landlords?—Yes.

2952. Do you think it is the feeling of landed proprietors generally, that it would be better to adopt some system of parochial rating or county rating, and so get rid of turnpikes?—Very generally that is their desire; but I must qualify that by saying, that in some cases where the landlords have lent money to the trusts they are anxious to get something back again. On the question of tolls, however, I have scarcely met any one who would not be glad to see them abolished upon any system by which that could be fairly and equitably done.

2953. Do you think that the landlords, having a more permanent interest in the land, would generally take a more intelligent view of the subject of the removal of tolls?—I am sure of it.

2954. Should you see any objection to throwing the burden of repairing the roads upon the owners of land, leaving them to make their arrangements with their tenants as they thought fit?—One or other would have to pay it.

2955. But do you not think that a great part of the objection which tenant farmers have to the idea of a rate for the repair of the roads, arises from their idea, that they themselves pay the rates?—Yes; but I think the farmers have changed their opinion in a most wonderful manner; I was quite struck the other day in Oxfordshire when I found what a different opinion had grown up with respect to this turnpike question, all through the district.

2956. You think the feeling among the farmers in Oxfordshire (as I believe I may say it is in Berkshire) is more favourable to the abolition of tolls than it was?—Yes, most decidedly.

2957. Lord *Henley.*] You think that the abolition of tolls, according to your system, would be popular in Derbyshire, do you?—Yes, very popular.

2957. Do you not think that it might meet with considerable opposition from the railway companies?—I cannot conceive that it should.

2958. Do you not think that they might say that it would tend to take the traffic off their lines, and at the same time make them contribute heavily to the repair of the roads as ratepayers?—The more free you make your communication throughout the country the better it must really be for everybody; I do not believe that any railway would suffer.

2960. Judging from your experience in Ireland, do you think that the abolition of turnpikes in that country has acted well?—I have no doubt of it, having visited Ireland so much for the last 35 years; it was there that I got impregnated

Sir *J. Paxton*, M.P.
9 May 1864.

with a strong notion of getting rid of turnpikes in this country; I think that they have got a very admirable system there, and that there is nothing better managed in Ireland than their roads.

2961. Sir *William Jolliffe.*] You propose that the whole of the debts on the whole of the turnpike roads should be valued, and that the county rates should be made liable; for whatever that may be, you would transfer the liability from the persons who created the road, to the ratepayers of the county?—Yes; in order to get rid of turnpikes, you must have some large comprehensive measure; and I conceive that already there are too many trusts that do not produce anything, and some that hardly pay their expenses, and yet cost a great deal of money to keep up. I believe that Mr. Barrow, the Member for South Nottinghamshire, who took very great interest on the subject of highways, was opposed to the Highway Act very much, because it did not go into this question sufficiently to make a settlement on the subject. He shows you that you are going to put on a new administrative expenditure, amounting to, I think, 250,000 *l.*; and that you are still leaving those turnpikes going on, so that you have two sets of officers throughout the whole of the country.

2962. Sir *William Jolliffe.*] But confining yourself to the subject of the transfer of this debt from the persons who have lent the money to the ratepayers of the county, have you considered how very differently counties are situated with regard to turnpike trusts; there being in many counties enormous debts, and in other counties only very few trusts whose debts are very small?—I have considered that point. I have found that we should have to deal with a large question, and that it would be necessary to deal with it as I have stated. Of course there are complications about those trusts in some districts, where a very large amount of money is invested in the roads; though I do not think that that case occurs so often in the south as in the north. Generally, however, I think turnpike trusts are in a languid state; it is so in the midland district, and even approaching London from the north; they are just worth as much as will pay for the repairs of the roads and the officers of the establishment, nothing being left for the parties who lent the money.

2963. Do you think, then, that it would be just to charge the whole of the county with the liquidation of the debt when only a very small proportion of the property of the county was originally liable for it?—I have already said that I should put the trusts into three different schedules, including the trusts that do not pay for themselves, but were merely accumulating a great debt year after year.

2964. My question does not at all affect the nature of the trusts; but suppose that there are at one end of a county trusts which are greatly embarrassed, would you charge the whole of the county with that debt? Take West Surrey: would you charge West Surrey with the liability to pay heavy debts on trusts at the other end of Surrey, although West Surrey may have only a very few or no turnpike trusts at all with any debt upon them?—There must be some such cases when you approach the metropolis, and there must always be exceptional cases to deal with. I take the subject roundly, and think that a general county rate would meet the case.

2965. But do you not think that in working that out, very great inequality might arise?—I do not think that it would in the north, which I know more intimately than the south.

2966. You have stated very strongly that you think that wherever ground has become valuable for building purposes, the turnpike gates are extremely detrimental to the development of the ground for those purposes?—Yes.

2967. You mentioned Dulwich particularly; but probably the same thing exists in a good many districts around the metropolis?—Yes, no doubt, almost all round the metropolis.

2968. Do you think that, though parishes may complain of some additional charge being thrown upon them with respect to the extinction of the turnpike-gates, there is very good reason to suppose that their rateable value will be immensely improved by that process; I mean, taking the parishes within 10 miles of the metropolis?—I certainly think so; I think that the turnpike system acts as a stoppage to the improvement of property.

2969. Having a great knowledge of those matters, let me ask you whether you do not think that, in the neighbourhood of the metropolis, poor districts have been created by the existence of turnpike-gates; I mean districts of an inferior class of houses, where there would otherwise have been a population of affluent people in houses of a better class?—That may be so; but at all events I know that the tendency of turnpike-gates is all bad around the metropolis, and that it must be the same around all growing towns.

2970. *Chairman.*] Do you not think that that applies also to the prosperity of small towns?—Wherever a toll-bar comes near a town it is a bar to its prosperity.

2971. You do not apply that remark only to the metropolis?—No; I would apply it to all considerable towns; the fact is, that the whole system of turnpikes has been broken up into something very different to what it was before by the existence of railroads throughout the country, and there is not one single road remaining which has the same sort of traffic upon it.

2972. Colonel *Gilpin.*] Referring to the Holyhead Road, are you aware that Sir Henry Pownall obtained an Act to cut down the hills there, and to facilitate the traffic between Ireland and the metropolis by making a good road?—Yes.

2973. He borrowed some money, which was lent by the Exchequer Loan Commissioners; and you are probably aware that it was an enormous sum that was lent to the turnpike trusts in that way?—Yes.

2974. Now, supposing that Government insisted on that debt being repaid, do you not think that it would be very hard that it should be thrown on the county?—Yes, I think so; but that would be an exceptional case.

2975. Now, with regard to the farmers in Oxfordshire. I understood you to say that they are anxious to get the tolls taken off; but are they anxious to take the debt upon themselves; have you ever said to them, "We will take off those tolls, but we will let you pay the debts"?—I stated to some farmers the other day my notion on the subject, and they all approved of it. They are called upon in some of those districts to pay for keeping up the turnpike roads, which are still levying tolls.

2976. With respect to the repairs of the roads being thrown on the highway districts, are you not

t aware that a great many towns have adopted e Local Government Act on purpose to avoid at?—I dare say.

2977. With respect to Dulwich; does not that ll-bar of which you have spoken affect the rystal Palace considerably?—I think not. here are several other free roads to the Palace om London.

2978. Mr. *Western.*] If the roads are managed y the county, do you not think that the expense ould be considerably less?—I should not like to at it in that way; I believe you should always eep the district within local supervision, so that would be possible to know what the surveyors ere doing.

2979. You think that it should be managed, in ct, in the same way as a County Bridge Com- ittee manage matters?—Yes.

2980. *Chairman.*] You have been asked with espect to the principle of putting the debts on ne county rate; now, are you aware of the course hich in that respect was followed in South Wales?—I am not aware.

2981. Are you aware that in South Wales the county rate was made subsidiary to the toll-gates; and that the whole of the principle is adopted in South Wales of charging the county rate with the debt?—I do not know that personally, but I know that they have had a great change there since the days of Rebecca.

Sir *T. Paxton*, M.P.

9 May 1864.

2982. Mr. *Sclater-Booth.*] You mentioned, I think, that the people of Matlock were very anxious to get rid of that circle of turnpikes all round the town?—Yes.

2983. Have the town tried what they could do under the existing Act of Parliament to get the roads taken off the Continuance Act?—No, they have tried to get a local Government Act; but that Matlock case was a peculiar case; there was great opposition from the rest of the ratepayers, and they did not get what they wanted. That was a case where one part of the ratepayers wanted to lay the burden on the other.

2984. Are those particular roads heavily indebted?—Yes, very heavily indebted, and they are costing a great deal of money, but the debts are in course of liquidation.

Jovis, 26° die Maii, 1864.

MEMBERS PRESENT:

Mr. Alcock.
Mr. Baring.
Colonel Barttelot.
Mr. Sclater-Booth.
Mr. Clive.
Sir James Fergusson.
Colonel Gilpin.
Lord Henley.
Sir William Jolliffe.
Mr. William Legh.
Colonel Pennant.
Colonel Stuart (Bedford).
Mr. Walter.
Mr. Western.
Mr. Wrightson.

GEORGE CLIVE, Esq., IN THE CHAIR.

FRANK JAMES, Esq., called in; and Examined.

F. James, Esq.

26 May 1864.

2985. *Chairman.*] I BELIEVE you wish to make some statement to the Committee with reference to turnpikes in your district? — Mr. Bruce requested me to give some information to this Committee about the improvements that we have made at Pontypridd. I am clerk to the Highway Board, under the South Wales Highway Act, at Pontypridd; we have made improvements in our district from 1856, amounting to 8,570*l.*

2986. Have you borrowed money for those improvements?—No, not at all; we have made them out of a revenue from the rates from time to time.

2987. Have your rates increased since the passing of the Act?—No, they have not; but I must tell you that the rateable value of the property has increased very much; of course, if the rateable value had not been increased very much by the opening of mines, railways, and so on, we could not have done it; but then on the other hand a new road would not have been required; but still I think it desirable to have borrowing powers to some extent.

2988. Will you be so kind as to give any information in your power to the Committee, with regard to the subject of turnpike trusts in your district?—I know nothing about the turnpike trusts; the Honourable Member, Mr. Bruce, suggested that I should give evidence with regard to what we are doing at our Board, in order that it might be seen how far the turnpikes could be put in our hands; I think that we certainly could manage them, so far as looking after the roads goes, quite as easily as the present District Board. With us there is a County Roads Board, and then there is also a District Roads Board; the District Roads Board look after the actual management of the roads, and the County Roads Board have a sort of supervision over them; I am now speaking of turnpikes, and not of highways. Now, I consider that the works which we have executed, and are executing still in our district, are far more important than anything they have done on the turnpikes; in fact, they have scarcely had a new road or a new bridge in Glamorganshire, whereas we are constantly making new roads and bridges. As far as the works are concerned, I think that the Highway District Board could very well undertake that.

2989. Do you believe that it would be mor economically worked if the Highway Distric Board had it under their management?—Yes, think so; I think that the county has now got double machinery which is quite unnecessary The County Roads Board, and the District Road Board also, for simply looking after the turnpik roads in sub-divisions, which is a very small mat ter, and I think that could very well be put o them, but with regard to maintaining the roads supposing that you took off the gates, that is an other question.

2990. What is your opinion with regard to the abolition of turnpike gates?—I think it is very clear that turnpike roads ought never to be throwi on the parishes; I think it would be a very grea injustice if the parishes were called upon t maintain the turnpike roads.

2991. Would you then throw the turnpike roads on the district?—That would depend upon the size of the districts. With us there are two large towns taken out on account of the Board of Health; if we had two Boards of Health towns in with us, I should not care so much, but it would be rather too much to put the turnpike roads on us, I think.

2992. Is it your idea that the tolls should be kept up?—No, I should put the roads on the county, certainly.

2993. What is the general opinion about the tolls in Glamorganshire; are they considered to be an inconvenience?—They are considered to be an inconvenience, no doubt, but at the same time there is the question of money. Now, in the parish of Merthyr they want to extend the turnpike gates three miles out of the town; that would throw an expense of 150*l.* a-year on the parish. I have not made up my mind whether it is desirable or not.

2994. You think that the burden ought to be put on a larger district than the parish?—Yes; we have one parish in our district, the parish of Rhigos, which has a considerable length of turnpike road in it, and if the turnpike road were thrown entirely on the parish it would very much burden the ratepayers of that parish, which is practically only a hamlet. The rates there would be very heavy if the turnpike road were thrown entirely on the parish.

2995. Now,

995. Now, take the parish of Llantrisant, ich is a large parish, with a good many roads t; who pays the tolls there?—Llantrisant is in my district; but I know something of it.

2996. Take any of your mountain parishes; is re any business traffic there?—Yes. In the ish of Ystradyfodwg, for instance, in the ondda Valley, there is a road 10 miles long, which we have made nearly all, except two les; it is as good as many a turnpike-road in the nty; some are better, of course, than others. went over the road leading from near Llantri- nt to near Newbridge, and when you get into the rnpike-road there it is like getting into a lane, nparatively.

2997. Have you a railroad now from Cardiff Merthyr?—Yes.

2998. Has that railroad diminished the traffic the turnpike-road?—Yes, very much.

2999. By whom are the tolls chiefly paid in e agricultural districts; are they paid locally, by pleasure, or business traffic?—The tolls are id by the whole combined.

3000. Is there much pleasure traffic in that strict?—Yes, I have no doubt there is, in the eighbourhood of the towns especially; but there no heavy goods traffic.

3001. Do you mean that there is no heavy oods traffic in Glamorganshire, generally?—hat is what I mean, because there are railways rallel with every turnpike, pretty nearly.

3002. The railways take the heavy goods affic?—Yes.

3003. Would that be one reason for doing way with the tolls?—Yes, I think it would be.

3004. Lord *Henley*.] You think that it would e a hardship on a parish to throw the turnpike- oad on the rates? Why would it be more a hard- ip to throw them on the parishes than to throw em on the counties?—Because the area is so uch smaller. There are no end of parishes in ur county that have not an inch of turnpike- oad in them, and yet use the turnpike-roads very day to a very considerable extent.

3005. By the common law, each parish must aintain the roads within it?—Yes, no doubt; ut it must be admitted that in all civilised ountries where you have large main roads for the eneral benefit of the county, those roads are aintained by large areas.

3006. But are not the parishes through which he roads pass those which use the roads the ost?—Very often not; because sometimes a arish scarcely uses any of the road. In that ery parish of Llantrisant they want a piece of ew road very badly right into a valley, in which he parish comes to one end of it only, so that Llantrisant would scarcely use any of the road, hough it is of the utmost importance for the alley up and down.

3007. Sir *William Jolliffe*.] You stated that he amount of the rates has not increased since he new Act has been adopted?—No, it has not; ve have never gone beyond one shilling a year.

3008. But the increase in the value of property as made your rate considerably larger, has it ot?—Yes.

3009. The 8,000 *l*. which you mention, has een laid out in actual improvements, I presume?—Yes, in actual improvements for widening the oads, or making new roads.

3010. Has that been done entirely without orrowing money?—Yes, but we have had a difficulty; one road cost us 958 *l*., and we had to spread that amount over three years.

3011. But you contrived to do all those improvements without borrowing; in fact, you have no powers to borrow?—No, we have no powers to borrow; but I think that it is most desirable to have borrowing powers. The way we did it was this: I got hold of a gentleman of ample means, and got him to contract to make the road, on the understanding that he would not be paid for it for two years. He was a private gentleman of very good means. We advertised, and he took the contract at a certain sum. I added to that sum 20 *l*. or 30 *l*. to cover the interest, and then he sub-contracted with the real contractors.

3012. And among those improvements, you built several bridges?—Yes.

3013. Are those bridges which the district maintains, or are they dedicated to the county?—Not at all. They are maintained by the parishes in which they are situated.

3014. I think you said that there is a County Road Board, as well as the other Board?—Yes.

3015. That has some sort of supervision over the District Boards?—Yes, but practically they never interfere; the only thing is that they have the election of the surveyor.

3016. They appoint the surveyor?—Yes, they appoint the surveyor, but in a general way they pay great deference to the opinion of the District Boards.

3017. Then I collect that your opinion is that the turnpike roads should not be thrown on the parishes as a charge, but that you would prefer having the charge on the counties?—Yes.

3018. Would you create in substitution for the turnpikes, certain county roads as well as parish roads?—The parish roads are now on each parish, and then the county roads would be on the county. In South Wales, we have even now a county road rate for the maintenance only of turnpike roads, making up the deficiency of the receipts from the tolls.

3019. Is that instead of a rate-in-aid on the parishes?—No, not exactly that; in consequence of the Rebecca riots all the trusts were done away with, and money was borrowed from the Government to pay off the bonds, at a certain valuation; the county was mortgaged, as it were; and the county road rate makes up the deficiency that arises on the money collected from the tolls to pay the working expenses, and the interest of the money.

3020. Is there a certain portion appropriated under the Act of Parliament for the extinction of the debt, as well as for the payment of the interest?—I believe so; but I am not well acquainted with the subject.

3021. But are those county roads managed by the commissioners of roads or by the district surveyors; do you manage the county roads?—No; we have nothing to do with those. The County Road Board consists chiefly, I believe altogether, of magistrates; and then there is a District Roads Board as well, and they attend to the county roads in their own district.

3022. *Chairman*.] That applies to the whole of South Wales?—Yes, to the whole of South Wales.

3023. Sir *William Jolliffe*.] I suppose that you repair all the parish roads within your district?—Yes.

3024. And also the county roads?—The county roads are repaired by the District Board.

 3025. Have

F. James, Esq.

26 May 1864.

3025. Have they a separate surveyor?—Yes, they have a separate surveyor, and then at the Quarter Sessions there is a rate made on the county, which they call a county road rate.

3026. Has the state of the roads very much improved under the new system in South Wales?—I think so in our district.

3027. *Chairman.*] You mean the highways, I presume?—Yes.

3028. Do you say that the highways in your district are much better than the turnpikes?—No, that is the case in some few instances only; of course there are parish roads which are mere mountain tracks, and which we never repair at all.

3029. But where you have heavy traffic you keep the highways in very good repair?—Yes, from Pontypridd up the Rhondda Valley is a very good road; there is about 10 miles of very good road, except for about two miles where it diverges over the hill.

3030. Mr. *Sclater-Booth.*] Would you put the debt as well as the repairs on the county?—Yes.

3031. Does not it occur to you that there would be a want of economy (the counties maintaining the roads, and the Highway District Board being in existence) in having a double machinery at work for the purposes of the road?—Yes.

3032. And yet if the turnpikes were abolished, you say you would oblige the county to repair the turnpike roads?—Yes.

3033. Therefore you would have double machinery, would you not?—No, we have got the machinery, and we can charge the county just as well as we do with the District Roads Board; the District Board charge the county now.

3034. You have no power to charge the district with anything but the cost of management under your Act of Parliament?—No, nothing else.

3035. *Chairman.*] The English Highway Act is taken in a great measure from your Act of Parliament, is it not?—I believe so.

3036. Mr. *Sclater-Booth.*] You say, do you not, that the rates would have increased in your district if it had not been for the opening up of new mines?—No, because perhaps we should not have made the roads if it had not been for those new mines.

3037. Have you found any difficulty in rating the mines in your district?—I think it is a very great injustice that iron mines are not rated as well as coal mines, and our union have petitioned for that.

3038. You never find any disposition, do you, on the part of the owners of iron works to pay a double or treble rate in consequence of extra use of the road?—No, I think that is a question which Parliament really ought to consider. In France it is the law, if a person owns a quarry, or cuts down a wood, and thereby spoils the road, the Prefect calls on him to make a subvention especially with regard to wood; at present according to the law of England, planted timber is positively exempt from rating, they go on for 20 years without any rate at all, and then when the timber is felled and cuts up the roads, the proprietor writes a letter perhaps complaining that we do not keep the roads in proper order. We have just had such a case.

3039. Do you think that in the event of the turnpike roads being abolished, some proposal should be made by which the people who cut up the roads very much by heavy traffic in their business, should be subjected to an increased rate?—No doubt it ought to be so, that is the la France ever since the year 1836, and it seen work very well.

3040. Colonel *Stuart.*] Is that a parish r —No, it is not a rate, but a special subventic a lump sum; you have the same thing in gland; with regard to railways, you go befo magistrate and complain of a road, and the way company are ordered to make the roa good as it was before they tore it up.

3041. Mr. *Legh.*] I suppose, in your cou some of the turnpike roads are very much n heavily used than others in any part of it there a good deal of coal traffic?—I am not av of any heavy goods traffic on any parts of county roads.

3042. *Chairman.*] The heavy traffic chi goes by railway, does it not?—Yes.

3043. Mr. *Legh.*] Then there is no min traffic over the roads?—I am not aware of mineral traffic over the turnpike roads at Every turnpike road in the district has a lin railway parallel to it, as far as I am aw There is another thing which I should like to introduced, which they have got in Fran they have parish roads which they call "chen de grande communication," which means that road going from A. to B. is of use, not merely a particular parish in which it is locally situat but actually used and chiefly used by the surrou ing parishes, the Prefect will declare that to b "general road," and assess the proportions in wh the different surrounding parishes shall maint that particular piece of road. Now that would most important for us in our district at t moment; that line of road up the valley would situated in one or two parishes, but it would used more especially by other parishes, and will be a very hard case if the parish throu which the road goes has to maintain it for benefit of the surrounding parishes.

3044. Would not that cause great difficul in manufacturing districts; for instance, wh perhaps half a dozen large factories are situa out of the parish, and yet use one parish road v considerably, it would be very difficult, would not, to put a proper rating on six different firn —Do you mean where several firms are using road?

3045. Yes?—I think that if the road were u by a great many firms it could not be said th that it was worn out by any particular firm.

3046. But supposing that they are not in parish, and yet they use the road?—Then parishes in which their property is situated ou to contribute. The new Boards which have b established would be a very proper tribunal settle the fair proportion, and I would give appeal to the Quarter Sessions.

3047. You would not then fix the charge up those men who used the road so much, but would put it on the parishes in which they liv —Yes, exactly so; that is to say, if they w very numerous, but if it were one firm that u the road I should go upon them alone; if i sufficiently clear that it is one party that tears the roads practically that you want, I should g that one party, but of course if the parties w very numerous it would be difficult to follow t out individually.

3048. Colonel *Pennant.*] Upon whom wo you put the responsibility of charging the a round for the expense of those roads of gene communication to which you referred if it w

one upon the French footing?—I think I would put it on the Highway Board.

3049. You would give the Highway Board the power of assessing the district round, for their share of the expense of those communications which they would consider general?—Yes.

3050. You also wish that the parties who use the road and create the traffic, should pay for it?—You may almost say that they abuse it, for they tear it up.

3051. That would be a question of degree; that would come to a question of those who used the road?—Yes.

3052. You would wish them to be assessed for the extra use of the road?—Yes.

3053. In whose power would you place the discretion of assessing them for that purpose?—In the magistrates, I think, if the party could not agree with the Board.

3054. The magistrates; in what manner?—The magistrates in petty sessions.

3055. You would propose that they should have the power of assessing individuals?—Yes.

3056. According to what; according to the rateable value?—No; according to the wear and tear of the road.

3057. The wear and tear would have to be proved, and the magistrates would have the power of fixing the rate on them, in proportion to what they considered their fair share of the expenditure, to make good the wear and tear of the road?—Yes.

3058. Without any appeal?—You might give an appeal to the quarter sessions.

3059. Mr. *Western.*] That would be something like the present law for union assessment?—Yes.

3060. They have an appeal from the petty sessions to the quarter sessions?—Yes.

3061. Colonel *Pennant.*] Would you propose that assessment to be without any reference to the rateability of the property?—Quite so.

3062. That would be solely on the basis of the extra wear and tear?—Yes; for instance, we have a quarry opened, which cost us a lot of money, and there is a quantity of timber in another part, which costs us hundreds of pounds.

3063. You also include in your scheme the question of the rateability of all mines and woodlands?—Yes, certainly.

3064. Without which, you hardly think that this system would be fair?—That is entirely a separate question, with regard to mines and woods, I think.

3065. But you would give them the power of rating the owners of different property, including mines and woods, independently of their general liability to the rates?—Yes; quite so.

3066. Merely for the purpose of repairs?—Merely for the purpose of repairs.

3067. Sir *William Jolliffe.*] But a man who has a quarry or wood, may have a very small property with regard to its rateability?—Yes.

3068. Would there not be a great difficulty in knowing what to assess?—I think not; if the quarry is very small, it cannot do much harm to the road; but, on the other hand, if a man has a large traffic, he must have a large quarry.

3069. Sir *James Ferguson.*] Should you consider it a fair manner of meeting such a case, to assess such proprietor at double, treble, or quadruple the proportion of the ordinary rates of the district?—No, I do not think that would be fair, because it appears to me to be the true principle to make that man pay for the extraordinary use of the road, regardless of the rateable value of his property.

3070. But supposing that the basis of the district be the rental of a subject, and one property in the district be a mining property or a manufacturing property, do you not consider that it would be an equitable basis of rating for that property to charge on that rental a double, treble, or quadruple rate, seeing that the rent is calculated on the ordinary out-put of the property?—No, I do not see that at all, because it would depend on how much of the road was used.

3071. But would they not use the road in proportion to the quantity of stone, coal, or other mineral put out of the works?—No doubt.

3072. Therefore the increased rate upon the rent would be an approximation to the use which they made of the road?—Yes; but there are other circumstances. A man may have a very large out-put, but he may use only a very short piece of the road, or he may have a very large out-put and he may use a very long piece of the road.

3073. So might a farmer or a householder use a longer or a shorter part of a road, and yet, if rated on his rent or holding, he might be inequitably rated?—No doubt; but my proposition is to rate this person because he specially over-uses the road.

3074. Over-uses it from the weight of his traffic?—Yes, the weight of his traffic.

3075. But seeing that his traffic is of a more severe description, would you not get at the extra use which he made of the road by rating him in an increasing proportion?—But the question is how to ascertain what that increase is. Now the rates may be very small indeed, and doubling or trebling them would be a very small matter; on the other hand, if the rates are heavy, it might be making him pay too much.

3076. Then increasing the rates in a still larger proportion might be a guide to the use he made of the road?—Yes; but the true principle would be to obtain from the surveyor what it would cost to put the road in good order, just as is done under the railway Acts.

3077. *Chairman.*] One man may use the road for a mile, and another man for a quarter of a mile, in which case it would not be fair for both to pay the same; is not that an injustice and an inequality more applicable to tolls, than to a system of rating; that is to say, may not one man use a turnpike road for two miles and pay no tolls, whereas another man may use the road for 100 yards and be always paying a toll?—No doubt that is so.

3078. Colonel *Pennant.*] Is your proposition supplemental to the rating of property in the ordinary way?—No; my proposition is independent of the rating altogether.

3079. Would you rate at all for the highways independently of your own plan?—Certainly.

3080. You would first rate the property according to its value, and then afterwards you rate it, secondly, for the special user of the road?—Yes, for the extraordinary user.

3081. But, in the case of any great works such as have been suggested (any large works of a valuable nature), you would rate it in the first instance according to its proportionate value, and then you would rate it again for the use of the road, to the repairs of which the owners of the property had already contributed?—Yes; if they made any extraordinary use of it.

F. James, Esq.

26 May 1864.

3082. *Chairman.*] I believe that the French roads are divided into three categories?—They are divided into three or four categories: the Imperial roads; the Departmental roads; then there are the "Chemins de grande Communication," and the ordinary "Chemins-vicinaux."

3083. The "Chemins de grande Communication" have a subvention of the Government, have they not?—I do not know. I think they are parish roads; they are managed by the parish surveyors.

3084. Which are the roads which have a subvention from the Government?—The Departmental roads. The others are the Imperial roads, the "Ponts et Chaussées."

3085. You have said that you disapproved of putting the turnpike roads on the parishes?—Yes.

3086. You are aware that the common law threw the highways on the parishes?—Yes.

3087. Would you see that altered?—No.

3088. Then, if the parishes are not unequally treated in that respect, why should not the turnpike roads be in the same position?—Because a turnpike road is for the general use of a much larger area.

3089. I thought you said that your turnpike roads did not bear comparison with your highways?—No; I say that some of our highways are as good as the turnpike roads; but still the turnpike roads are made for the general use of the country at large, and they ought to be maintained by the larger area. There are a great many parishes that the turnpikes do not go through at all, and yet they have benefited by them.

3090. Do you know what the whole contribution of South Wales is to the loan by which the debt was paid off?—No.

3091. You know that it is on the county rate?—Yes; because I pay, myself, part of it.

3092. Lord *Henley.*] With regard to turnpike roads being the great channels of communication is there not a very great alteration now, since the railroads, in the relative amount of the traffic between the turnpike roads and the highways?—Yes.

3093. Do you not find that there is very often as much traffic thrown on a common highway which leads to a station, or far more, than on the turnpike road?—Yes, it is so.

3094. Would you make an exceptional system for such highways?—No.

3095. Still, they being more used for through communication than the turnpike roads, would you suggest that such highways should be thrown on the counties?—They might be thrown on the district.

3096. Would it be possible to draw a line between such highways which have hitherto been charged on the parish, and the turnpike roads which have hitherto been managed by the trusts?—Yes; I think it would be possible. Besides, with regard to roads going to stations, generally speaking, of course, the rateable value of the property has increased, and they can afford to pay very well, unless it may possibly happen that that piece may be in one parish which obtains very little benefit from it; then it comes hard on the parish.

3097. Mr. *Walter.*] There are no parishes without some highway passing through them, are there?—We have some with no highway; no metalled road, only a mountain track. There must be a good many places in Wales without metalled roads; but, of course, a mere mountain track is a highway.

3098. *Chairman.*] Have you anything further to add to your evidence?—Nothing that I know of.

Rev. JOHN WREY, called in; and Examined.

Rev. *J. Wrey.*

3099. *Chairman.*] You are a Clergyman, in Essex, I believe?—I am living at present at Teignmouth, having no preferment; a magistrate for the county Devon.

3100. You are chairman of the Town Commissioners, I believe?—I am chairman of the Town Commissioners, not of the Highway Board.

3101. I think that you have some statement which you wish to make to the Committee?—I am afraid that what I have to state is the often-repeated tale, that we are suffering very much under the turnpike laws; we consider them a great grievance to us, especially since there are railroads. We have the turnpike roads thrown upon us, and we maintain the whole of them, and we have to pay tolls also.

3102. What is the debt on your trust?—I think it is somewhere about 20,000 *l.*

3103. Is that one trust?—I think so; the Dawlish and Teignmouth Trust.

3104. Colonel *Stuart.*] What is the date of your Act?—It was renewed in 1836, and I believe that it has three years longer to run.

3105. Colonel *Pennant.*] Was 31 years the duration of the Act?—I think that the duration of the Act was 30 years.

3106. *Chairman.*] What is the value of that debt in the market now?—I have heard various prices; that is one of the things which they complain of, viz., that it is made a matter of speculation; I am told that it is worth about 45 per cent for the 100 *l.* bonds.

3107. Colonel *Pennant.*] Has it been sold at 45 per cent; have there been any sales at that price?—Yes, I am told so; the trustees keep those sales very quiet to themselves.

3108. You are not a trustee, I suppose?—Yes; but I have only been trustee of late. We have a memorial before the Secretary of State. All our trustees have died off, and they will not put in any new trustees out of our parish, because they suppose we are not favourable to their tolls. We conceive that they have been buying up many of those bonds, and have been speculating upon them, and that they have put in our parish a greater proportion of gates than they have in the other divisions.

3109. What is the length of your trust; does it run in one continuous line?—Chiefly in one continuous line; various branches; they have not only one trust, but they have divided it so that the gates do not free one another; we cannot move right or left without the infliction of a gate; we have six tolls to pay within a mile.

3110. On one road?—Yes; I will submit the map to you (*producing a map.*)

3111. *Chairman.*] Do you know what the whole amount of tolls collected every year is?—They repair the roads, and make a charge upon us too.

3112. What becomes of the tolls?—Those people who are speculating in the bonds take it for their interest.

3113. And you repair the roads?—Yes; we pay for the repair of the roads. We had neighbouring gentlemen to fill up the vacancies, but they said, "No, they are not favourable to us, and we will not have them."

3114. Colonel *Pennant.*] What are the limits of your jurisdiction as a Board of Improvement in Teignmouth?—The parish. There are four tolls within half a mile.—[*The Witness explained the boundary of the jurisdiction on the map, and the situation of the turnpikes.*]

3115. Are those all different roads belonging to the same trust?—The bridge is a separate trust, and another one is separate; there are good houses vacant, people objecting to take them in consequence of the pressure of the tolls; and sites desirable for building are under the same impediment.

3116. Are the Committee to understand that those different tollgates which are placed about Teignmouth are all upon the same trust?—They are all upon the Dawlish and Teignmouth Trust, with the foregoing exceptions, and made into three divisions, each having a stop-gate.

3117. Then those different roads belong to the same trust, but they are made into different districts by the trustees; had they power, under their Act of Parliament, specially to do that?—I am afraid so.

3118. That Act expires in three years?—Yes.

3119. And there is a debt of 20,000 *l.*?—Yes; there is 10,000 *l.* arrear of interest, I believe.

3120. *Chairman.*] All the tolls go to pay the interest of the debt?—Yes.

3121. Colonel *Pennant.*] Is that the case throughout the whole extent of the trust?—Yes.

3122. And no part of the road is repaired by the trust?—Not in my district, and I think in no part of the trust.

3123. What interest have the trustees been paying?—I think 3 *l.* per cent.

3124. Since when have they been paying three per cent.?—Since the railroads have been there.

3125. But if they pay three per cent. that would hardly give a marketable value of 45 per cent. to the bonds?—It is three per cent. on the original 100 *l.* bonds; 45 per cent. is the last I heard of; of course it has varied.

3126. But would they sell for 45 per cent. if they were paying three per cent. interest?—Yes; because of the uncertainty.

3127. Do you attribute that depreciation to the termination of the Act being so near?—That is one thing, and also the diversion of traffic by the railroad; it is an uncertain investment to have, and it is an unmarketable article.

3128. You also complain that the trustees, in filling up the vacancies, have taken care not to appoint trustees residing in the neighbourhood?—Not long since there was a gate where they had been collecting tolls, at which we discovered that they had no power to collect them under the Act; they literally were on the parish road. We requested that we might have the vacancies filled up, and they paid no attention to us; we then communicated with the Secretary of State that we had no representative of our parish on the Board. A magistrate attended, and submitted a list to the trustees, taking 11 or 12 in the place of 14 who had died off, so that we might be represented; they declined taking that list, and only adopted one of them.

3129. Mr. *Alcock.*] How many miles is your trust?—I should think there is about two miles of turnpike road through our parish.

3130. But I mean the Dawlish and Teignmouth Trust?—I cannot quite undertake to say.

3131. Can you give the Committee no idea of that?—There are so many ramifications over the district that I cannot say. I should think perhaps 30 or 35 miles.

3132. What is the annual amount of the tolls?—I do not know.

3133. But is it not known to the world at large?—Yes; but I have not those data with me.

3134. Are the tolls let to contractors?—Yes.

3135. Are they let to one man or several men?—I think there are several different contractors; they are each let separately; sometimes one man will take three or four of them.

3136. They are let by public tender?—Yes.

3137. Have you any idea how many parishes there are that repair the roads in question?—I do not know.

3138. Are there 5, or 10, or 15?—There are 15 at least; I should think there are several parishes.

3139. Mr. *Baring.*] How would you propose to remedy the difficulties under which you lie?—We find that those roads were made for the benefit of the public traffic; what we would call, perhaps, through traffic has been diverted by the railroad, and we feel that it is the infliction of a heavy burden upon us to have to pay a toll which was put on to meet the convenience of the public traffic; the local traffic we have no objection to pay for; we are willing to take the roads on ourselves, but to have to pay tolls also we think is wrong.

3140. Are you prepared to take any portion of the debt on you?—We think that the debt was put on entirely for the through traffic; we do not see how we can pay it.

3141. You are not prepared, on behalf of the Commissioners, to take any portion of the debt that is owing for the construction of this road?—If we repair it, we think that we are doing the full amount of what would be due from us.

3142. What course would you propose to be taken with regard to the debt?—It might be paid by a general rate.

3143. Upon what?—Either by a general system through the country, or by a county rate.

3144. You are prepared to bear your share of that?—Yes; I do not see any objection to that.

3145. *Chairman.*] At a fair valuation you mean?—Yes.

3146. Not at par?—No, the value might soon be ascertained; some districts are paying the tolls, and paying off the debt.

3147. Mr. *Baring.*] The country between Dawlish and Teignmouth is hilly, is it not?—Yes.

3148. And the road was difficult to make in the first instance?—Yes.

3149. And the debt was incurred in consequence of those difficulties?—Yes, certainly.

3150. That was before the railroad was made?—Yes, before the railway was made.

3151. I suppose at that time the road was of great benefit to Teignmouth?—The whole of the traffic was that way.

3152. Teignmouth being a watering-place, I suppose it was a great advantage to the town to have a good road?—A good road is a very good thing

Rev. *J. Wrey.*

26 May 1864.

thing to have everywhere, and doubtless they are benefited by it.

3153. Until the railroad superseded the road, the town of Teignmouth benefited by the expenditure of the money which now constitutes the debt on that road?—A certain portion of it has been benefited by it.

3154. Mr. *Walter.*] Do you happen to know to what amount your parish is rated in the pound for the repair of this road?—We take it in as a district rate; it is in conjunction with other works.

3155. Have you got a highway rate in operation?—We have a local district.

3156. Is the railway rated to the repair of the road?—I think so.

3157. To what extent is it so rated?—I do not know.

3158. Railroads are always rated very highly, are they not?—Yes, generally; there have been some appeals against it occasionally when it seemed excessive.

3159. Colonel *Pennant.*] Do you know what their contribution is to your district?—I do not.

3160. Lord *Henley.*] Do you think that there would be any great difficulty in ascertaining the marketable value of the debt?—Perhaps the best criterion would be the list of sales.

3161. But those sales having been done probably by private contract, would it not be rather difficult to ascertain at what rate they were made?—I am not aware of any public sale having taken place.

3162. *Chairman.*] Where did you obtain the information that 45 per cent. was the last price?—It was, I think, some person connected with the trust that told me.

3163. Colonel *Pennant.*] Have you not the power of looking into the books, as trustee?—Yes.

3164. Will not your books tell you that?—Yes; I went for the express purpose of ascertaining that to the clerk's office, but the clerk was out and I could not see the books.

3165. You could not get at the books because the clerk was away?—No, I could not see the books; they are rather chary in letting the books be seen.

3166. Lord *Henley.*] Is it the case that the books are kept with the amount of the debt on each road, and that every transfer from one private bond to another of those bonds is set down in those books?—Yes, I conclude that it is so.

3167. Is that usual with turnpike trusts?—I think so.

3168. That would lead to an easy way of finding out what the bonds sold at, would it not?—Quite so.

3169. Colonel *Barttelot.*] Have you considered the question of the abolition of tolls throughout the country, or merely with regard to your own district?—Not further than by inquiring from different persons interested; and the general feeling of the county is, that it would be a great improvement and a public advantage to have them put under a different system.

3170. Do you speak with regard to Devonshire, or with regard to England generally?—I speak with regard to Devonshire.

3171. Were not the main roads there made for the accommodation of the general public, for through communication with London and Exeter, and elsewhere?—Yes; and we always supposed that they had an Act of Parliament authorising them to collect tolls for a certain number of years; but that it was doubtful what the p ceeding might be afterwards.

3172. Would it not be rather a breach of fa and rather a hard case on the agricultural parish to throw the repair of the roads on the parish and the debt on the county rate?—At this pres time we think that the through traffic, for wh benefit the roads were improved or made ne altogether as the case might be, is so very mu altered under the railway system, that we sho be very willing to take the repairs on ourselv With regard to the method of paying off t debt, we hardly know what to recommend that subject; whether the bonds are to be p up, or whether they are to be taken at a mark able price; unfortunately, there are abu springing up to the prejudice of certain localiti

3173. Take your own locality. Supposi that the tolls were done away with, would n the consequence be that those parishes just ou side Teignmouth, would have to keep their roa in repair for the benefit of the improving a increasing watering-place of Teignmouth?—N because the through traffic has passed off.

3174. My question is, whether it would not for your own benefit that the roads would be ke up by the parishes; you, the watering people Teignmouth, making use of them?—Yes; but do not think that we should use them very muc

3175. Do you never drive into the country?—Not far; unless we go by rail.

3176. I suppose that the pleasure people a always taking drives?—Within a certain district but it is very small.

3177. *Chairman.*] How far does your ow improvement district extend?—It is limited b the parish of Teignmouth.

3178. You do not use the roads much beyon that, I presume?—The roads are used; but n for general business, because we go by rail if is for any distance. We merely use the roads fo visiting in the immediate neighbourhood, bu there our neighbours would have equal advan tages.

3179. Sir *William Jolliffe.*] You say that th rate of interest on the bonds is three per cent., an that there is a large accumulation of interest?—The three per cent. is what we pay now. Th bondholders are entitled to more than that.

3180. Do they appropriate those tolls to pa off any arrear of interest?—They have not suffi cient to pay what is currently due.

3181. That three per cent. consumes the whol of the tolls?—Yes.

3182. Mr. *Sclater-Booth.*] I suppose that it i an important element in estimating the value o the bonds that their Act of Parliament is nearl expiring?—That of course leaves them in doub with regard to what course will be taken afte the Act has expired.

3183. I need hardly ask you whether you wi appear before the Committee as representing th Local Board, and take care that your interest are considered when the Act is renewed?—certainly think I should, the same as others. A person who was holding a house in one of thos localities put up a gate, saying that he wished t stop the traffic to Dawlish, but that people livin in the immediate locality should be exemp for 1 *s.* a year, and now it is 1 *d.* a year. The perso occupying the house only comes into the tow free of toll; if he has a friend staying in the house taking carriages and horses, he must pay toll. I a person living in one of those houses hires a car riag

riage and horses to go up to his house he may do so, but if he hires another team to take coals to his house, he must pay toll 20 times a day if he goes through the gate so many times; all provisions brought to the house must pay, and consequently all those are mulcted who live in that district.

3184. Can you speak at all as to south Devon generally whether any such grievances exist in other parts?—I can speak of Torquay; I am trustee there; I have only occasionally attended; but there is a gate which they put up, called an improvement gate, which goes to Newton on the southern side of the bridge; the improvement for which the gate was put up has been effected, and been paid for for years, and the gate still remains, and the toll is still collected, and we who live on this side of the trust think that it is acting anything but fair towards us.

3185. What were the circumstances under which that gate at Torquay was put up; was it under the Local Act?—They had the power of putting it up under their original Act, and it was put up with the express object and understanding that there were certain improvements to be effected, and that as soon as they were done, and the charges were liquidated, the gate would be removed.

3186. Mr. *Western.*] Has it been put up for some years?—Yes, for some years.

3187. Mr. *Sclater-Booth.*] Do you mean that this toll acts now in the nature of an *octroi* duty, and not for the repair of the road?—It was understood that they would lay out the profits on this improvement, which is paid for, and all charges thereon, and the gate still remains; locally they do not object, if they could get the toll spent upon that part of the county for their specific benefit.

3188. You mean in widening a road, or cutting down a hill, or anything of that kind?—Yes.

3189. Mr. *Legh.*] You suggest that the debt should be thrown on the county rate?—Yes.

3190. You cannot collect the county rate where a Local Government Act exists, can you?—No.

3191. Then you would escape entirely paying for the debt?—We pay the county rate through the poor rate.

3192. *Chairman.*] The Local Government Act does not exempt you from the county rate, does it?—No, not at all.

3193. Colonel *Stuart.*] Are all those roads around Teignmouth under one Act of Parliament?—Not the bridge, or the one on the south side; that belongs to the Dartmouth and Newton Trust.

3194. Has that Act long to run?—I am not quite sure.

3195. You think that it is as old an Act as yours?—Most likely.

3196. Is there a parish surveyor in your district?—Yes; the trust maintain the road, and make a charge upon us; we have applied to have it given up to us, and they declined doing so.

3197. I suppose they pay their surveyor?—Yes, they do.

3198. Do you know what salary they pay him?—I do not know; we pay no portion of it.

3199. The surveyor does not come upon you?—No.

3200. The tolls cover the expenses of the staff, I suppose?—I think so.

3201. Do you know that the bondholders feel confident that the Act will be renewed, and think that they have a vested right?—I rather think that they expect some alteration in it.

3202. Do you know who buys up those bonds you say that it is a small body?—Yes; they keep the power in their own hands.

3203. The present body of trustees, or a majority of them, keep the bonds close, and when one bond is to be sold they buy it themselves; is that your meaning?—I suppose that must be open to treaty.

3204. But you mean, they try to buy them up amongst themselves, thinking that they might be worth something some day?—That I can hardly say; those parties that have the bonds now, appear at the trust meetings, and rule everything precisely as they please.

3205. Mr. *Western.*] Is the remuch pleasure-traffic between Teignmouth and Dawlish now?—No, not a great deal; those parties who had public conveyances have often said to me how prejudicial the turnpikes are to them.

3206. People go by railroad chiefly, I suppose?—Chiefly.

3207. *Chairman.*] Have you anything further to add to your evidence?—No; I think not. I have put the Committee in possession of the grievance which we suffer from, which arises, we think, from the improper action of the present turnpike legislation.

3208. Colonel *Pennant.*] Your Act expires in 1866?—Yes.

3209. And then it must be either renewed by Parliament, or the powers must cease altogether?—Yes.

3210. Sir *William Jolliffe.*] With respect to that Torquay Gate, where do you say it is situated?—It is in the Torquay Trust, but it is contiguous to Teignmouth.

3211. The improvement has been effected and paid for, and the gate still remains, and the tolls are still collected?—Yes.

3212. To what purpose are the tolls appropriated?—To the improvement of a distant part of the trust.

3213. *Chairman.*] Has any proposal ever been made to the inhabitants of Teignmouth by those bondholders, by way of compromise?—I am not aware of any.

3214. Do you think that the inhabitants would be disposed to enter into a compromise?—I hardly know.

3215. You think that their first object, at all events, would be to get rid of the toll?—Yes.

3216. Colonel *Pennant.*] I suppose you know that there is power of entering into an agreement with the trustees to take a portion of the debts, and to remove the gates to a greater distance, under the Local Government Act?—I am not aware of that.

Rev. *J. Wrey.*
26 May 1864.

The Rev. Archer Clive, called in; and further Examined.

Rev. *A. Clive.*

3217. *Chairman.*] I believe that you wish to add something to your former evidence?—I wish to mention the inequality that would arise if the turnpike trusts were to expire, and the repairs of the road were thrown on the parishes in which they are locally situated. I think that it would be very unequal, because one parish, perhaps, may have two miles of road in it, and another adjoining parish may have none at all.

3218. On what district, then, would you throw the

Rev. *A. Clive.*

26 May 1864.

the repairs?—I should form considerably larger districts, in order to make it equal. I should say that highway districts in my own neighbourhood would generally be fair. They would be co-extensive with the poor law districts, which would be a fair average for the use of the road.

3219. Colonel *Pennant.*] That is, with regard to your own district?—Yes.

3220. But in some cases the boundaries of a union would comprise portions of two distinct counties?—It would be difficult in that case. The trusts are sometimes in two different counties.

3221. Yes; but in some parts of England the union area includes a district of 25 or 30 miles long, and portions of two counties; you could not there adopt your plan?—Not if there were two counties.

3222. In Wales there are some unions which extend nearly for 30 miles long, and the two counties are separated by an arm of the sea?—That would be difficult, of course. I am speaking of my own neighbourhood, where the union sometimes extends into another county.

3223. But, under the circumstances I put, you would not follow out your suggestion, would you?—Not, perhaps, in such a case as you have mentioned.

3224. Mr. *Baring.*] Do you think that there would be any advantage in giving the Highway Boards power to enter into an agreement with the trustees of turnpike roads, with the consent of the mortgagees of the debt, in the same way as power is given under the Local Government Act to places which have local Boards to take the roads off the hands of turnpike trusts, and remove the gates?—No; if they were allowed to levy a district rate, but not if they were to pay for the roads on the same principle as they pay for parish roads.

3225. Do you think that you might fairly say that that should be done with the precaution of requiring the consent of a majority of tw thirds of the waywardens?—I think that th would be no harm in that, provided that th had the power of levying a district rate, and a rate on separate parishes.

3226. Sir *William Jolliffe.*] There are cert payments that are charged on the Common F trict Fund?—Yes.

3227. And this charge might also be on a co mon fund?—Yes, just so; that is what I intend to convey.

3228. Colonel *Barttelot.*] You stated that y would propose to do away with the common l liability of the parishes. Supposing that a tu pike trust was done away with, I suppose that y would place that turnpike road under a differe management to that under which the parish ro are now?—No; I would not place the roads und a different management, but I would place the under a different liability of payment.

3229. Yes; but would not that give rise very great difficulties?—I think not; we do every day with the Poor Law Fund.

3230. But, supposing that in one of your d tricts there is a railway terminus, and the l half mile of the road runs through a parish whi is not much benefited by the road, whilst the is another parish which is more benefited by would it not be a very hard case that you, havir done away with the turnpikes, should force t parish to keep in repair that portion of the hig way which very little benefited it?—That har ship does exist now; but I do not think that n alteration would create it.

3231. But should you not place that under th same category?—Yes, I should; I should like enlarge the districts very much.

3232. *Chairman.*] Is there anything el which you would wish to add to your evidence —No.

William Battie Wrightson, Esq., a Member of the Committee; Examined.

W. B. Wrightson, Esq.

3233. *Chairman.*] I believe there is some statement which you wish to make to the Committee?—My honourable and gallant friend has given an excellent account of the working of the two Committes that have been going on for the last 15 or 16 years, but I think that you would not be satisfied without tracing the history of all that, because it appears at present as if it was a system that had arisen quite accidently. Now, I have looked back to the beginning of all this: I have read through the Votes for the year 1849, and I find that there had been very great discussions that year on the subject; the late Sir George Cornewall Lewis brought two Bills before the House, and they were both unsatisfactory, and came to an end, without any division, after a great deal of consideration. After that, it was decided to give an instruction to the Committee of Selection to appoint all the Turnpike Bills that Session to a separate Committee, whether they were opposed or unopposed, and to desire them to report their observations and opinions to the House. Now, that Committee sat for 29 days, and at last they made their report, which contains everything which forms the basis which those Committees have had to go on. It is not a great deal in itself, but there is no other basis, because from that time to this the House has never given any further instruction to those Committees on the subject; but the House has shown its sanction to what ha been done by uniformly passing the Bills whic we have sent up to them, and acquiescing in th system that was introduced.

3234. Colonel *Pennant.*] Without any excep tion, I think?—Yes, I believe so.

3235. *Chairman.*] Have you been the per manent Chairman of one of those Committee ever since?—Yes, and the honourable and ga lant Member on your right has been Chairman o the other; I have been so for the last 15 o 16 years. Colonel Pennant, in his examinatio the other day, dropped a word or two that look as if there had been some difference of opinio between us upon these points.

3235*. Colonel *Pennant.*] My allusion was onl to minor matters?—Just so; in fact, nothing ca be more amicable than the way in which we hav acted together; we have taken great pains, an the Committee will see very readily that it i not a very easy matter, when there is little to g upon, and a thing like this is introduced to tw different Committees, to observe anything lik uniformity; but, by taking great pains, and com municating together, and sometimes serving to gether on the same Committee, we have suc ceeded so completely in that, that I believe th Parliamentary agents (we have very seldom an counsel before us) would say that it was a matte of very great indifference which of those tw

Committee

mmittees they went before, either in point of nciple or in point of practice, so that it is ite on minor points that there is any difference tween us.

3236. The only point was, I thought that ad perhaps seen more strongly than you had e difficulties of arriving suddenly at any general gislation for the liquidation of these debts; t, in practically carrying out the details of ch Bill, we have been acting together?—There nothing like a difference, except that my nourable and gallant friend attaches rather re value to the turnpike system than I do myself; but that difference has never shown itself the way in which we have carried the system to operation: to proceed with the history e gave in our Report on the 8th of July 1849; e Committee came to the following conclusions:—

"1. That, in the opinion of Your Committee, improvidence in the creation of debt, laxity of management with respect to the expenditure, and other evils, have arisen from the absence of an enactment (as well in the Local as in the General Turnpike Acts) requiring trustees of turnpike roads to pay off annually a fixed proportion of the monies borrowed by them on the security of the tolls.

"2. That, in the opinion of Your Committee, the power of borrowing money upon the security of the tolls, conferred on the trustees of turnpike roads by section 81 of 3 Geo. 4, cap. 126, has, in certain cases, been improperly exercised, and that ought to be restrained by a general enactment. Your Committee deem it worthy of consideration whether it might not be expedient to enact that no mortgage debt should be created by trustees of a turnpike road without the previous consent of the Secretary of State, or other competent authority unconnected with that trust.

"3. That, in the opinion of Your Committee, no Turnpike Bill ought hereafter to be renewed which does not contain a provision for applying a portion of the annual income of the trust to the redemption of the debt existing at the time of its renewal.

"4. That, in the opinion of Your Committee, no Turnpike Bill ought to be hereafter passed, which does not contain prospective regulations with respect to the creation of future debt, and to the time and mode of its redemption.

"5. That, with respect to the mode of redeeming the debt of turnpike trusts, Your Committee beg leave to direct the attention of the House to the following clause, contained in the Local Act for the Wisbech and Chatteris Trust, and re-enacted in the Bill agreed to by Your Committee:

"And be it enacted, That it shall be lawful for the said Trustees, and they are hereby required to pay yearly out of the monies and tolls collected and received by virtue of this Act, such sum and sums of money as shall or may be agreed to be accepted by any person or persons being a creditor or creditors on the said tolls, as a composition or compositions on and in satisfaction of his, her, or their security or securities to the amount of two hundred pounds, according to the stipulation after mentioned; (that is to say), the said trustees shall, twenty-one days at least before the general meeting in each year, cause public notice to be given in some one or more newspaper or newspapers circulated in the counties of Cambridge, Norfolk, and Lincoln, that a composition or compositions will be paid for four shares of fifty pounds each to such creditor or creditors on the said tolls as shall be willing to accept the smallest composition for his, her, or their share or shares, and requiring such creditors to transmit proposals in writing, sealed up, to the trustees at the said meeting, specifying therein the lowest rate per centum which such creditor or creditors will accept and take for each and every share of fifty pounds, not exceeding four, which he, she, or they may have due and owing on the said tolls, (which said proposals shall, as soon after the hour of one of the clock in the afternoon of the day of the said meeting as convenient, be publicly opened by the clerk to the trustees at the said meeting), and the creditor or creditors whose proposal or proposals shall specify the lowest rate per centum which he, she, or they will accept and take for all or any of the said shares of fifty pounds intended to be paid off, shall have the preference, and be paid such sum or sums of money as he, she, or they may be willing to accept for the same, by the treasurer to the said trustees, at the expiration of one calendar month next after such meeting, with all interest then due for the same; and if two or more of the said creditors shall deliver in proposals at the same meeting for accepting a composition for any such share or shares at an equal rate per centum, then and in such case it shall be forthwith determined by lot, to be fairly drawn by the clerk to the said trustees, to which of the said creditors preference shall be given in payment of such composition or compositions, and the creditor or creditors having the casting lot shall be paid his, her, or their composition or compositions at the time and in manner hereinbefore mentioned; but if there shall not be any proposals delivered in at the said annual meetings or any of them, by any of the creditors for accepting any such composition or compositions as aforesaid, for his, her, or their share or shares to the amount of two hundred pounds or any part of that sum, at a less rate than the full amount of the principal monies due to him, her, or them on the said tolls, then and in such case, but not otherwise, the said trustees shall and may, and they are hereby required, in each and every year in which such proposal or proposals shall not be delivered in as aforesaid, to set apart by and out of the said monies or tolls, the full sum of two hundred pounds, or such part of the same sum as shall be requisite to be applied for and towards payment of the principal monies then due and owing on the said tolls; and the said trustees shall then cause the numbers of the respective securities, with the several sums for which they are given, to be separately set down in writing and put together into a box or wheel, and out of such box or wheel immediately afterwards cause to be drawn the numbers of so many of the said securities as shall be equal in value or amount to the sum so set apart and intended to be paid off, and in one calendar month next after such numbers shall be respectively drawn, the treasurer to the said trustees shall pay to the person or persons who shall be entitled to the respective securities the numbers of which shall be drawn as aforesaid, or to the trustee or trustees, guardian or guardians of such of the persons so entitled as shall be under age, such sum or sums of money as shall be due by virtue thereof, which they are hereby required to accept and take accordingly in discharge of such securities or of such part of the same as shall be thereby satisfied and paid.

"6. That

W. B. Wrightson, Esq., M.P.

26 May 1864.

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26 May 1864.

"6. That, in the opinion of Your Committee, the present state of the law respecting the seizure of tolls by mortgagees, whose principal or interest is unsatisfied, has been productive of serious practical evils, and requires the early attention of Parliament.

"7. That, in the opinion of Your Committee, the provisions of the Act of 4 & 5 Vict. c. 59, with respect to aid afforded from the highway rates to turnpike trusts, whose ordinary income is insufficient to defray the costs of maintaining the roads, are imperfect, and inconvenient in their operation; and that they require amendment.

"8. That, in the opinion of Your Committee, no Turnpike Bill ought to be hereafter renewed, which does not contain a clause subjecting it to the provisions of any future General Act for amending the laws relating to turnpike roads.

"9. That, in the opinion of Your Committee, it is expedient that measures should be taken for diminishing the heavy Parliamentary expenses necessarily attendant upon the present system of renewing Turnpike Acts; and it appears to Your Committee that a preliminary inquiry, conducted under the direction of a public office, would tend to the accomplishment of this end."

The clause recited in Resolution No. 5 has been introduced ever since into every Act of Parliament that has been passed.

3237. Colonel *Pennant.*] That has been introduced into a general Act also, has it not?—Yes. Perhaps I ought to state that, on looking over the Votes, I find that the late Sir George Cornewall Lewis was directed by the House to be a Member of the Committee; and, as far as my recollection serves me, he was the principal mover of those regulations. I brought up the Report of the Committee myself. That is my impression; but it is a long way back. I know that we sat for 29 days, and we had much discussion, and those were the resolutions which the Committee came to, in conformity with the directions of the House. Well, then, that being the case, we had to take the state of things as we found them, and we found that the practice was to renew the greater part of the Bills that came before us for 21 years. It appears to me, I confess now, having acted upon that for so many years, that it is high time that that period should be altered, and that the proceedings of the Committees should be brought into more rapid operation, with a view to the objects before them. It strikes me that it would be well that instructions should be given by the House to those Turnpike Committees, in all cases where the state of things will admit of it, to make the period in future 11 years, in order that you may bring the arrangement of the affairs of the trusts within a shorter period. If I might venture to give an opinion with regard to the best course, I would say that the turnpike system should be retained, for the purpose of liquidating the debt, and that whenever the debt has been got rid of, then the turnpike road should be thrown upon the parish, according to the common law liability. But then, I cannot help looking at this also. I see quite plainly that it has been the constant policy of Parliament to act differently with the highway rate from the way in which it has ever acted with regard to any other rate whatever. If you refer back to the 13th of George the 3d, you will see that the General Highway Act of that day limited the rate to 9*d.* in the pound. The next Act was passed in the year 1814, when it was thought necessary to increase it, and then the rate was raised 1*s.* 9*d.* in the pound. But it must be borne mind, that at that time, besides the rate 1*s.* 9*d.* in the pound, there was the statute labo system prevailing all over the country, which w a very heavy burden, amounting to six days' labo with horses and teams for every 50*l.* worth rent; so that when the whole subject came to considered by Lord Eversley, and those who to part in the Act 5 & 6 Will. 4, it was determin to get rid of the statute labour, and also to p on a substitute for it. I have communicated this subject with Lord Eversley, and I fi from him, whose recollection is quite perfect on t subject, that they thought an addition of 9*d.* the limited rate was a fair equivalent if the statu labour was taken away; and the consequen was that it was raised to 2*s.* 6*d.* without t statute labour. The law at present maintai the liability of the parishes to the extent 2*s.* 6*d.* in the pound; I consider that a matter good faith to the parishes, and I would not ha that sum exceeded on any account, but I do n see that Parliament is at all bound now to look any diminution of the liabilities that are throw on the parishes. Here is the common law liabili that applies to them all, but that common la liability is circumscribed by being limited 2*s.* 6*d.*; well, then I would say that in any ca when the turnpike road is thrown on the highwa district, if it can be shown that the consequen of that is to raise the liability of the parish beyond 2*s.* 6*d.*, which attaches to them at pr sent, I would call on the county then to mak good the deficiency to the parish. I am satisfie that that would not be a heavy burden; I doul if there would be any case almost in which would be reached at all. I think it would be ver like the case which Mr. Scourfield mentione that the county would have the honours of mar tyrdom without any of its inconveniences. A all events, it would be perfectly reasonable t keep the present liability of the parishes a 2*s.* 6*d.*, and throw upon the county any sma increase that may arise from adding the care of th turnpike roads to their present duties. Of course no scheme of this kind can come into operatio unless it is provided that the Highway Act shoul cease to be permissive and should be compul sory, because the turnpike roads go throug various parishes and through various counties We are called on this Committee to say whethe the removal of the turnpike system is expedient and also whether it is practicable; now, from th long experience I have had on the subject, I hav long ago been satisfied of the expediency; of late by the help of the evidence before this Committee I have come to the conclusion that it is certainly practicable as well as expedient, and if you adop an arrangement of this sort, I am quite certain that very great good will result. I think tha the turnpike system has been found not only very partial and a great impediment to the improvemen of property, but it has also been enormously expen sive. I do think that public attention has been hardly sufficiently called to the expense of the system, which is so disguised that people are not aware of it; in round numbers there are 1,100 trusts, and I consider that it would be a fair average to say that there are four gates to each trust, in some there are more, and very rarely a trust has less than two. I have had before my Committee a trust of 24 miles long, running westward from Falmouth, on which there are 16 gates.

3238. *Chairman.*] Say five gates on the ave-

rage?

ge?—Trusts 18 miles long have very com- only five or six gates upon them.

3239. Do you know of any trust with less than ree gates upon it?—I know of a very short ne with two gates, but it is quite an exception.

3240. Colonel *Pennant.*] But can anything be ell concluded, from the average length of a ust, because the gates must vary so much ac- rding to the country through which a turnpike ad passes?—I am not looking to the paying gates nly, but to the expense of keeping them all up. think that each gate, whether it receives money not, will not cost less than 25 *l.* a year one way the other, because it is quite clear it makes no fference whether you pay a man to receive tolls d give him wages, or whether you let the bars that he has to make the money; it must come t of the public in some shape or other; then, sup- osing that to be so, you have 4,400 gates in the untry, costing 25 *l.* each, which gives you an nnual burden of 110,000 *l.*

3241. *Chairman.*] Supposing the number of ates to be 8,000?—I think that I do recollect mething of that kind on the Duke of Rich- ond's Committee; that would increase my cal- ulation enormously. There is another point hich I have very little doubt about, and that is, he expense of renewal under the present sys- em: I take the 1,100 trusts, and those 1,100 rusts, in the lifetime of people now living, have een renewed at least four times a-piece, and very renewal has cost about 500 *l.*; that amounts o above two millions of money.

3242. Colonel *Pennant.*] Since when are you eferring to?—In my lifetime.

3243. *Chairman.*] Since what year would you ay?—There is a little deduction to be made on ccount of putting the trusts into the Continuance Act; but if it were not for that, there is a enewal every 21 years, and, therefore, in the last 0 years there have been four renewals, costing ,000 *l.*; if we look at that, we find that it mounts to 2,000,000 *l.*

3244. Colonel *Pennant.*] But the trusts, prac- ically, have not all been renewed?—There is hat deduction, no doubt; but the expense is normous, and a great deal of it falls on the ublic.

3245. It is the general practice now, in all Bills renewed, that no interest of the debt s to accrue until the expenses of the Act are aid, so that that expense comes out of the ocket of the mortgagees?—Yes, there would be omething to be allowed for that.

3246. Colonel *Stuart.*] That puts off the pay- ment of the debt for a year or two?—Yes. We ll admit that since the introduction of railroads, he through traffic has been mainly diverted from he roads, which have become a local burden; and the trustees have been driven to the multi- plication of bars, as the only means of keeping up he revenue. I should say that it is desirable in future to retain turnpike gates merely for the purpose of paying off the remaining debt, and hat then the roads should fall on the parishes; and I think that the term of renewal should be reduced from 21 years to 11 years. Generally speaking, if these Committees continue to sit, I should think they might bring by far the greater part of the trusts out of debt within 11 years. Here and there there may be a difficult case, which I would leave in the discretion of the Committee to extend to 21 years. We should, I think, confine them to 11 years, except in par- ticular cases; and I think that that might act well as a general principle. I think it would be desirable that the Home Department should be directed to include no longer in the Continuance Act such trusts as do not call on the parishes to maintain the roads in whole or in part. Whereas the Home Office, acting on their discretion under the Continuance Act, all that they do is to reduce the interest of the debt, and in some cases to do away with the unpaid interest; but they cannot do what a Committee can do, namely, appropriate a certain sum out of the tolls to the maintenance of the road itself, leaving the trustees to come on the parishes for the remainder. Whenever that is carried out, you adopt a system that gradually forces on the parishes a part of the liability which must ultimately fall upon them in the whole, of maintaining the roads themselves. It is very desirable that you should do that, so that the burden will then come on them more gradually. I would do that as gradually as possible, in order that the burden may be less felt. We have some trusts to deal with, where the whole of the road is maintained by the trust, and we have other trusts to deal with, where the whole of the road is maintained by the parish; and we have some trusts where it is done partly by one, and partly by the other; but it is very desirable, if we do intend to look ultimately to the common law liability of the parishes, that you should in the meantime, throw a portion of the burden on the parishes themselves.

3247. *Chairman.*] You have heard the evi- dence of the witness from South Wales?—Yes.

3248. Do you know the amount of the debt there?—Yes, it is 214,000 *l.*, I believe.

3249. You know that that debt is paid by an annuity of 800 *l.* in 30 years?—Yes.

3250. You heard the Honourable and gallant Member, Colonel Pennant, or Mr. Leslie state, that the whole debt of the trusts of England was 4,200,000 *l.*?—Yes.

3251. And the Honourable Member said that that might be taken at 75 per cent.?—Yes, I should agree with that; it is not more than that, certainly; you might, perhaps, get rid of it at rather less than that.

3252. But you would take 25 per cent. as the deduction?—Yes.

3253. That would leave 3,000,000 *l.*?—Yes.

3254. Now taking 800 *l.* a-year to be the pay- ment, as fixed on the county rate in South Wales for 214,000 *l.*, what would the whole charge be on all the English county rates in get- ting rid of that debt at once; I think it would not be very great, would it?—No, I think not; I should not have any great objection to that my- self; but I do not think that the country would like it so well.

3255. You consider that whenever a trust is out of debt the road should be thrown on the parish?—Yes.

3256. But you might have two trusts, one free and one tolled?—Yes, I am afraid that you must have that.

3257. Would that, in your opinion, be fair?— That would be a matter to regret, because the people would leave the tolled road and come on the untolled road.

3258. Would not that be a good reason for getting rid of the debt at once?—Yes, as far as it goes, it would.

3259. Colonel *Pennant.*] With regard to your suggestion to limit the duration of the Turnpike Acts to 11 years, the effect of that would be to place the mortgagees of those trusts which have

W. B. Wrightson, Esq., M.P.

26 May 1864.

not yet been brought under the consideration of Parliament, to be renewed at a greater disadvantage than all those mortgagees with whom we have hitherto dealt, because, if you reduce the rate of interest, so as to make the debt terminable in 11 years, you depreciate their security?—I should not like to produce that effect, because I would rather do the same sort of justice to the mortgagees as we have hitherto done on those committees; but I would throw a portion of the burden on the parishes themselves at once.

3260. You would throw that burden on the parishes, in order to give to the mortgagees a greater amount for the shorter time than what we now give them for the longer period?—Yes, certainly; I would do the same justice to them as we have been in the habit of doing.

3261. And after the debt was paid you would propose to throw the rates on the parishes, not forming the parishes into districts, but throwing the rates for the repair of the roads, totally irrespective of the assessable value or mileage entirely on the parishes?—Yes, quite so.

3262. Would not that do a great injustice in particular parishes where they would have a larger amount of mileage thrown on them suddenly on a very low rateable value?—There might be cases of a certain degree of hardship, but I do not think that the parishes could make any reasonable complaint, if they were allowed to have the benefit of the limitation up to 2*s.* 6*d.*

3263. But the 2*s.* 6*d.* added to the other large item, would come very heavily on some parishes?—How would it be added?

3264. If the highway rate was carried up to 2*s.* 6*d.*, which it has seldom reached; now that would surely become a very heavy additional burden, would it not?—Yes; but still they have all of them known of their position with regard to the 2*s.* 6*d.*

3265. But it is seldom carried up to 2*s.* 6*d.*, and if the turnpike roads were thrown on the parishes (for instance, in the neighbourhood of large manufacturing towns where many of those roads are exceedingly expensive now, some of them costing 200*l.*, 300*l.*, and 400*l.* a mile), that cost of 2*s.* 6*d.* would be reached?—No doubt it would in some cases.

3266. *Chairman.*] Those cases would be exceptional, I suppose?—Yes, they would be exceptional; I should treat them as exceptions, and throw the burden on the county.

3267. Colonel *Pennant.*] If it went beyond the 2*s.* 6*d.*?—Yes.

3268. But in some cases the 2*s.* 6*d.* would be reached, would it not?—No doubt in some cases it would.

3269. *Chairman.*] Is it your opinion that it is well to saddle a whole nation with tolls for the sake of a few exceptions of that kind?—I should say not.

3270. Colonel *Pennant.*] Do you not think that that scheme which you suggest, would meet with great opposition?—I hardly know of any scheme that would meet with so little opposition, as to throw the surplus beyond the 2*s.* 6*d.* on the counties.

3271. Would you continue to exempt minerals, whatever traffic they create?—I am satisfied that there is no distinction which the law now makes, between an open mine and a mine which is not open, which can fairly be maintained.

3272. It would be a hardship to throw that traffic on the other properties in the parish, you think?—I would rate the mines as we now rate the quarries.

3273. That would be a part of the scheme?—Yes; whenever the subject came to be looked into (and there are petitions now coming up to the House), it must end in mines being rated that are worked underground, the same as those that are worked on the surface.

3274. Mr. *Alcock.*] If I understand you rightly you would like the tolls abolished, and the turnpike road in each parish kept up at the expense of the parish?—Whenever the debt has been got rid of, I would have the toll come to an end, and the Highway Board take the management of everything that lies within their boundary.

3275. Did I understand you to say that you would see no objection to raising money for the purpose of paying off the debt?—That was no part of my scheme.

3276. *Chairman.*] I suppose that they might raise it by means of the tolls?—I do not know. I had not contemplated that.

3277. Mr. *Western.*] You would propose that all the trusts out of debt should be left out of the Continuance Act?—I would have them come to an end as trusts, the gates given up, and the houses given up: to be the property of the parish.

3278. But do you think it reasonable that the trustees on a trust which is out of debt should have the power of breaking up the trust and putting the roads on the parish at once, the same as is proposed in Lord Romney's Bill?—I doubt whether the county would bear that quite so well; it would create some jealousy, and I would rather that was done by the Legislature itself. I think that I would make it the duty of the trustees to throw the thing up as soon as the debt is liquidated.

3279. Colonel *Stuart.*] You want to do away with the Continuance Act in future?—It would have that effect, because whenever something more was wanted than reducing the interest it would be necessary to call in the aid of Parliament.

3280. You wish, in fact, to force all those trusts into a Committee-room?—I am afraid that it must have the effect of adding to our labours in committee.

3281. With regard to the expenses of the Acts, do you know whether it is possible to reduce the expense?—I am not aware of that; but I know that the late Sir George Cornewall Lewis was very anxious on that subject.

3282. Mr. *Walter.*] Do you advocate the scheme of throwing the expense of maintaining the turnpike roads on the parishes solely, on the basis of the common law liability?—Yes, certainly; up to the 2*s.* 6*d.*

3283. But do you not think that, considering the circumstances of the period when that liability was first created, compared with the present state of things, some alteration may be required as to that common law liability?—I should consider that the parishes have been handsomely dealt with, because they have had good roads one way or the other, by means of the money that has been advanced and paid off in this way, so that you leave the parish in a better state a great deal than you found it in.

3284. Then you do not think that there is any injustice in taking the parishes that must use the roads in going, for instance, to market, and exempting them altogether from any share of that burden. For example, most turnpike roads, I apprehend

apprehend, are channels of communication between the large towns in counties?—Yes.

3285. And, therefore, there must be many parishes which do not lie on those lines of communication, but which, nevertheless, use them frequently?—Yes.

3286. Do you think that it is right to exempt those parishes from any share in the expense of the maintenance of the roads?—I have no doubt there will be cases where there will be a little hardship. Some very expensive roads have been made, perhaps years back, at the instigation of the Post Office. Those roads have been made without reference to the convenience of the people on the spot, but for public purposes of an important kind; and there, no doubt, a burden would be thrown on the parish for the maintenance of a road that was not originally contemplated for their benefit. My honourable and gallant friend would, I dare say, mention the case of the Great Holyhead Road.

3287. Colonel *Pennant*.] For the portion as far as Shrewsbury, Government advanced the money for the purpose of each trust, cutting down the hills and filling up the valleys, and making a good road, and they then gave them an additional toll?—Yes.

3288. Some few years ago there was a composition made, and the Government limited the debt, and the additional tolls were taken away, but the remainder of the road from Shrewsbury was entirely a new road constructed by the Government?—A great deal of money has been thrown away in cutting through hills; in my own neighbourhood, for instance, where 4,000 *l.* has been expended in that way, and when that road was opened, the innkeepers at the two ends of the road desired to see the trustees, and when they were ushered in, they said that they had come to ask the gentlemen as a great favour to allow the old hill.

3289. Mr. *Walter*.] Would not your argument, that the parishes through which the turnpike road passed would be in a fair position, apply to other parishes which do not lie on those lines of road, but which nevertheless use them?—Yes, I think that would apply to almost the generality of the roads; bridges have been built and roads widened, and so on, which are money's worth to the parish and the country generally.

3290. They are money's worth to other parishes which do not lie on those roads, and yet use them?—Some of them; but looking at it broadly, they all partake of the benefit in some degree.

3291. Is there any reason on the ground of natural justice, why all the parishes which are in the habit of using those roads, should not pay their share towards the maintenance of them?—You must abandon the system of making those pay who use the road, if you give up the trusts and the gates.

3292. You relieve strangers to the district from the liability, but do you ground your principle entirely by common law on the principal of natural justice, or merely because it is the common law?—We have never lost sight of the fact that it is the common law, and that after all the turnpikes formed a merely auxiliary fund, but the moment it becomes a local burden they lose the whole of that advantage.

3293. But are we sufficiently acquainted with the circumstances under which that common law liability first came into operation, to be able to apply that principle strictly to the present state of things; if the parishes are to be liable by the common law for the maintenance of all the roads that pass through them, ought not they to have some voice in the construction of the roads?—If a turnpike road is left in the hands of a parish, which is not essential for its own purposes of communication, the consequence is that the burden of the repairs may be brought within a very small compass; possibly a road of very considerable width may have been kept up years ago, and now the traffic may have diminished very considerably, and therefore a very small amount of repairs will be sufficient in future.

3294. Mr. *Baring*.] I do not quite understand why, in order to carry out your plan, it is necessary to make the Highway Act compulsory?—Because supposing that you have a road relieved entirely from debt, and you wish to throw the road on the highway district, you may look to the map and find that there is no highway district.

3295. But I understood that you omitted any reference to the highway district in your plan, but that you would throw the repairs of the road on the parish?—No, I should not feel at liberty to do that until the highway district was formed. It is an insuperable impediment, but I would ask Parliament to make it compulsory all over the kingdom.

3296. Surely there would be a parish surveyor, although the parish was not included in the highway district, and yet the parish would be capable of maintaining the turnpike in the same way as it is bound to maintain its own highways?—But how would you do when the trust goes through various parishes and counties?

3297. The trust would in that way be divided among the parishes where there was no highway district, each parish surveyor maintaining the part that went through the parish; and where there was no highway district, the repairs would be provided for by the district surveyor, and the charge distributed among the parishes, and therefore the whole length of the trust would be covered either by the parishes separately and their surveyors, or by the district surveyor?—But in all the highway districts there is a parochial fund and a common fund.

3298. You would propose, also, that where the rate was above 2 *s.* 6 *d.*, the extra amount should be thrown on the county?—I would throw everything beyond 2 *s.* 6 *d.* on the county.

3299. Therefore it does not appear at first sight that it would be impossible to carry out such a system with the present permissive state of the law with regard to the highway district?—But you must wait until the magistrates in their discretion choose to adopt the system.

3300. At present the maintenance of the turnpike roads is in some cases thrown on the parishes?—Yes.

3301. That liability exists, whether the parishes are formed into a highway district or not formed into a highway district?—Yes.

3302. Does it not, therefore, follow that any further liability of the same kind might be met by the parishes, if not formed into a highway district, as well as if the parishes were formed into a highway district?—I suppose that that would be possible; but it would be a great deal less difficult plan to have the highway districts ready to receive the trusts.

3303. The efficiency of the system, where there is a district with a district surveyor, would be so superior to the parish system as to make it much

W. B. Wrightson, Esq., M.P.

26 May 1864.

much easier to carry out the change, would it not?—Yes; of course you would then get the benefit of the assistance of the district surveyor, who is in some degree a scientific man.

3304. But it would not be absolutely necessary to make the highway system compulsory, would it?—It would not be absolutely impossible to carry out my plan without that addition; but it would be much better, I think, either to wait until the highway system was universally adopted, or else to make it compulsory; in some districts they have adopted the highway system; but in the West Riding of Yorkshire there is only one district, and in the North Riding and East Riding nothing has been done.

3305. Do you think that it would be possible to give increased powers to the Secretary of State, with regard to the continuation of the trusts?—Yes; I think you might leave it very safely to the Home Department to say whether the trust shall go before the Committee or not, even after the debt has been removed. Now, with regard to the 153 cases that have no debt left at present, my notion would be that all those trusts should fall on the parishes, unless they made it appear to the Home Department that there were reasons why the case should go before a Committee, and then I would say, by all means let them do so. There may be some peculiar cases where it is desirable that a Committee should investigate them.

3306. Mr. *Western.*] Why should the debt go before a committee; why should not the Home Secretary have power to leave it out if he pleases?—I should be perfectly satisfied that that should be done.

3307. *Chairman.*] You would take power from him instead of giving him more?—So far as I can judge, I think that the Home Office would have done better to send a few more Bills to Committees than they have done.

3308. You think that they ought not to put the trusts that are out of debt into the Continuance Act?—Just so.

3309. Mr. *Baring.*] I meant rather to ask whether you think there are any powers that are now exercised by the Committees of the House of Commons which might be, by fresh legislation, committed to a Government department with the view, supposing they were simple powers, of avoiding the expense of a private Act?—I should have no fear of that; everything that has been done by the Home Office, has been done so well, that I should be willing to trust them to go further. The information which has been furnished by the Home Office, has been of the utmost value to the Committees; I hardly know how we could have seen our way without it, in many cases.

3310. For example, with regard to the appropriation of part of the expense to the parishes, would it be possible, by a general enactment, to give authority to the Secretary of State to arrange that, do you think?—Perhaps it might, with limitations; the Committees have done that so freely for many years, that I think it would be considered a much less responsibility than they have now thrown upon them with regard to the reduction of the interest. Supposing that a trust was receiving 500 *l.* a-year in tolls, it might be left with great safety to the Home Office to say how much of those tolls shall go in liquidation of the debt, and how much to repair the roads, and to do those very things that we should very probably do before the Committee itself.

3311. Colonel *Pennant.*] But the Committee have an opportunity of hearing evidence, and the Home Office have not?—That is very true, and the circumstances vary very much.

3312. And whether a Bill is opposed or not we have considered it our duty on those Committees to hear the whole case; is not that so?—If it were not for the costliness of the tribunal I should be very glad if almost every case came before the Committee.

3313. Mr. *Baring.*] Might it be possible to have some kind of provision similar to that under the Local Government Acts, under which the Secretary of State can cause local inquiries to be made, and act after receiving a report from the officer?—I should be afraid of that from the experience we have had of local inquiries; they are very expensive and troublesome, and they often lead to nothing; I think, perhaps, if you put the whole thing into an 11 years' term, in a general way, even the expense of renewing the Act might be borne, as it would be once for all.

3314. Colonel *Pennant.*] You would throw the expense of the road to a certain degree on the parishes at once, in order to give the mortgagee a fair opportunity of being repaid?—Yes; I should like to treat them very much as we have done hitherto.

3315. *Chairman.*] You would not make any of those changes unless you could get the district administration of a Highway Board?—I think it would be safer not to do so; if you wait a few years only, the good sense of the country at large will give you the establishment of these highway districts over the whole kingdom; and the only question with me is whether Parliament should not give the magistrates a little fillip to induce them to go on a little faster.

3316. Colonel *Pennant.*] Do you think that we have had experience enough of those Highway Boards to justify us in compelling the formation of those Boards?—I hear nothing but good of them; Lord Eversley was telling me the other day that the system was working well in Hampshire.

3317. In the West Riding of Yorkshire generally they have not formed Highway Boards, have they?—No, we are not in a condition to judge of the system there; the Highway Boards have only been formed in one corner of the West Riding.

3318. The magistrates are not of the same opinion as yourself?—The feeling of the farmers was against it, and that re-acted on the magistrates.

3319. Have you received any returns of the expenditure in the appointment of officers under the new system which would justify you in recommending that system as a compulsory measure?—I should be very sorry to see it remain permissive as long as the Police Act, which was left 12 years permissive, and then had to be made compulsory at last.

3320. *Chairman.*] You think that the Police Act ought never to have been made permissive?—I think it ought never to have been made permissive, and I think this ought not to have been made permissive.

3321. Colonel *Pennant.*] Are there not certain expenses in the formation of these Boards which do not go to the repair of the roads, such as clerks' salaries, the expense of rooms, notices, and stationery, which expenses very often bear a very large proportion to the total amount collected, or they not?—Yes; I think there is no doubt that wherever the Highway Act is judiciously adopted there will be better roads and less expense.

3322. Do you know at all what is the average expen

expense per mile on those district Boards?—No, I have not heard that.

3323. Do you know what is the average expense of turnpike trusts per mile?—I have seen no calculation of that.

3324. I think it is stated in one report that it is 22 *l.* a mile?—I cannot say what it is.

3325. *Chairman.*] Did you ever happen to go through a parochial surveyor's account under the old system?—Yes, very often as a magistrate.

3326. Colonel *Gilpin.*] Have you seen the accounts under the present system?—No.

3327. Colonel *Pennant.*] There has been only one year's experience of it, I believe?—That is all; but Lord Eversley is quite pleased with the way in which it is working in Hampshire, where it is established all over the county.

3328. Lord *Henley.*] With regard to the working of the Committees of the House of Commons, have the Committees taken the cases of any trusts into consideration except those that were brought before them in the shape of Bills, or have such other trusts come under the consideration of the Committee?—The Bills are referred to the Committee.

3329. You have not taken the cases of any trusts, unless they came to ask for an Act of Parliament, or brought some Bill before you?—Certainly not; we cannot go out of our way to deal with them. The Bills are referred to us by the Committee of Selection; and I ought to say how much we are indebted to the Committee of Selection, because if the Committee of Selection had not played into our hands for the last 15 years, we should not have worked so well as we have done. They have made a point of always giving us two or three members accustomed to the working of the system, so that we have always had two or three old hands on the Committees.

3330. Have you always proceeded on a uniform system in dealing with those Bills that have been referred to you; for instance, in those trusts where the debt was extinguished, have you thrown them on the parishes?—We have never had a case before us, where there was no debt.

3331. There are 160?—Yes; but that is very much by the operation of the Committees themselves.

3332. But no measures have been taken for throwing those 160 trusts on the parishes for repairs?—Not at all. I believe that they remain just in the same position as they would be in, if there was still a debt upon them.

3333. Sir *William Jolliffe.*] I want to ask your opinion on one point of great importance, and that is with regard to the common law liability of 2 *s.* 6 *d.* You say that after the expense of any parish highways amounts to that sum, you then think that the extra charge should be thrown on the county rate?—Yes.

3334. Would you prefer that remedy to giving the Highway Boards borrowing powers?—I think that they ought to have borrowing powers. There was a power in Mr. Gathorne Hardy's Bill to borrow money, and for some reason it was left out, but now it is put in again. I think that it would be better to call on the county for the exercise of that borrowing power. There is another clause in the Bill which is to enable the justices of the peace to appoint a sort of county surveyor to overlook the whole.

3335. You carried us back to the year 1849, when a Committee sat, and you have read certain resolutions which they recommended should guide the operations of the Committees that were to sit on turnpike trusts?—Yes.

3336. Before that time, since the year 1843, the system had been partially in operation of dealing with those trusts before a Committee of this House; was it not in consequence of the late Sir George Cornewall Lewis's opinion that the system then adopted should have the recommendation of some Committee to sanction it, that that Committee was appointed?—Yes.

3337. We may say, therefore, that the system which has now been adopted with regard to the renewal of turnpike trusts has been in existence since the year 1843?—Yes.

3338. Will you have the kindness to look at that Return from the year 1843 to 1861, showing the result of the state of the bonded debt (but not the whole of the debt) on those turnpike roads; that is to show what has been the operation of this system (*a Paper being handed to the Honourable Member*)?—Yes. "Amount of Bonded Debt on Turnpike Trusts in England and Wales, in the year 1843, and in the year 1861:—

1843	-	£. 6,932,293
1861	-	4,532,895
		£. 2,399,398"

Figures something very like these appear in the House of Commons Report of last year; about 2,300,000 *l.* is shown as the amount of the bonded debt struck off.

3339. Colonel *Gilpin.*] You said that you thought it would be unjust that the toll should be taken off one trust and kept on on another trust where there was a debt; why do you consider that it would be unjust?—That would be a thing to avoid if you could help it, because the public are sure to use the untolled roads if they can.

3340. Would it not be unjust to those who have managed their affairs well and are out of debt, to keep on the tolls because another trust is not so well managed and has a large debt on it?—No doubt that might happen in some cases.

3341. Now, where a trust is so much in debt as to be obliged to call for a rate in aid which keeps up the road, and then the expense of collection and officers is paid out of the tolls collected, do you not think that the parish should have the right to take the matter into their own hands?—I should think that in all those cases a gradual reduction of the debt is going on.

3342. With regard to the Highway Act which you thought should not be permissive, you alluded to the county surveyor under the new Act; do you not think that the Act of 1835 would have been amply sufficient, if the surveyor had been allowed to go round and see that the local surveyors did their duty, and if not, bring it before the magistrates?—Ever since that Act passed I have always regretted that the parishes would not act together, and form themselves into a district for that purpose, but I have never heard of a single district where they have done so.

3343. I believe that more than 20 *l.* a mile has been expended on roads under the Highway District Act up to this moment?—I am not aware of that.

Jovis, 2° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Alcock.
Mr. Baring.
Colonel Barttelot.
Mr. Clive.
Mr. Dodson.
Mr. Fenwick.
Colonel French.
Colonel Gilpin.
Lord Henley.
Sir William Jolliffe.
Mr. William Legh.
Mr. Mildmay.
Colonel Hussey Packe.
Colonel Pennant.
Colonel Smyth.
Colonel Stuart (Bedford).
Mr. Walter.
Mr. Western.
Mr. Wrightson.

GEORGE CLIVE, Esquire, in the Chair.

The Hon. EDWARD GORDON DOUGLAS PENNANT, a Member of the Committee re-Examined.

Hon. *E. G. D. Pennant.*

2 June 1864.

3344. *Chairman.*] I BELIEVE that there is some further statement which you wish to address to the Committee?—What I wish to state is this: that, although nothing can be further from my intention than to impute any idea of withdrawing evidence on the one side, or of admitting it on the other, yet, by some inadvertency, while I was prevented, on the former occasion, from giving my opinion on the general question before the Committee, a Member of the Committee, and also a colleague of mine, has given his opinion not only on the present turnpike system, but on a plan of another system; and that being the case, I feel desirous of laying before the Committee my opinion on the general subject.

It is admitted that there are a great many evils in the turnpike system; but before I should propose to do away with that system, I must see my way to some system that would be fair and impartial to the country, and also that would be likely to be carried out by Parliament. The evils of the present system are, in my opinion, in a great measure owing to the multiplicity of turnpike trusts in the country, and to the putting of gates in the immediate vicinity of populous towns. Now, I think that a great deal of that might be obviated by the consolidation of the trusts. The system of the consolidation of the trusts appears to have answered very well in South Wales, where there was a great objection felt, and very great complaints made of the evils resulting from great numbers of small trusts. Those trusts were consolidated into one trust for the whole of South Wales. They now remain under that management, and I believe that the evidence received by the Committee shows that it works satisfactorily. Now, in Mid Lothian the same system of the consolidation of the country turnpike roads has been carried out, and is going on, and, by the evidence which I have received, as Chairman of the Committee before which the Scotch roads have been brought, I find that it is going on most satisfactorily. That system is carried on with great economy, and there is, according to the evidence, a total absence of any complaint whatever. The same result will, I think, be found to have followed from the consolidation of turnpike trusts in the immediate vicinity of London. The turnpike trusts, as my Honourable colleague knows, were consolidated many years ago into one trust, and since then there has been a very great reduction of the debt, and a great amount of road in the immediate vicinity of the metropolis has been relieved from turnpike gates, and that has been attended with very great benefit. I can speak with regard to the good effect in my own neighbourhood, of having one turnpike trust for the whole of the county, (with the exception of one very small trust). My own county is 70 miles long; there is one trust, and that trust is managed with very great economy. I have got the details, if the Committee wish to see them, with regard to the management, which is explained in the clearest and most accurate manner, showing the good effect which has been obtained by that consolidation. I think, then, that a great deal of the evil attending the present system might be remedied by the consolidation of the turnpike trusts.

There is another point which I wish to mention, which is, that whatever may be the faults of the turnpike system, there is this fact in its favour, that whoever uses the road to any extent pays for his use of the road; whereas, the moment you admit a system of rating as at present capable of being exercised, you immediately relieve from all contribution to the repairs of the roads these different classes. All fundholders, all persons who derive their incomes from mortgages, all persons in trade, excepting with regard to the mere occupation of their premises; all owners of mineral property, excepting coal; all carriers for hire of whatever sort; and lastly, all inhabitants, that is to say, all residents within the limits of any improvement act whatsoever, because the road immediately becomes a highway. All those classes would be relieved from any contribution whatever to the repair of the road. Now, although it is quite true that the railway system which has been introduced of late years into the country has superseded those long lines of thoroughfare, which extended from the metropolis to the extreme parts of the kingdom (for instance, that a person would no longer think of posting from York or Edinburgh); still I think

it

Hon. E. G. D. Pennant.

2 June 1864.

will be found throughout the country that almost all the principal railway stations are made at or in the immediate vicinity of populous towns, and the result of that is, that the avenues to the stations in most cases will be found to be along those principal roads which are the thoroughfares and avenues to those towns, and which are in the majority of cases turnpike roads still. Therefore, I think that there will always remain in this country a certain class of roads which are of greater public utility, and which cost more to repair than the mere common local highways which are applicable merely to the purposes of each parish. Now, to throw the expense of the repair of those roads which in some cases is very large (sometimes even as high as 400 *l.* a mile in manufacturing districts), on the parish would be very unjust, I consider, to the parish in which they might happen accidentally to be situated. My honourable colleague has proposed a scheme by which the parishes would be liable to repair those roads up to a limit of 2 *s.* 6 *d.* in the pound; but although 2 *s.* 6 *d.* in the pound is the limit which is fixed by the Highway Act, still, practically, you find throughout the country that 2 *s.* 6 *d.* in the pound is a point which is rarely reached for the repair of the highways; I think that my honourable colleague admitted that the moment you get beyond 2 *s.* 6 *d.* then it would be an act of justice that the county should contribute to the excess. Now, considering that the average is very far below 2 *s.* 6 *d.*, I think that the moment you admit the justice of the claim on the country, when you get beyond the 2 *s.* 6*d.*, you admit that the county should be called into requisition, even if the 2 *s.* 6 *d.* (which is the *ultimatum* for the rate for the repair of the highways), is not reached. I also think that there would be very great injustice done and very great complaints made if any system were introduced which threw the repair of an expensive road on the parish through which the road happened to pass whilst (as would happen in many cases) another parish through which it did not pass, but equally deriving benefit from it, would be relieved altogether from contributing towards the repairs. Now, if you look again to the plan of throwing the repairs on districts, in the first place there will be very great difficulty in forming those districts in the country. You would meet with Local Improvement Acts at every turn. All populous places have Local Improvement Acts, and you must either upset them altogether, or else you would have them interfering with any district which you might attempt to form. Therefore, I think that the only feasible plan that would go down with the country would be a permissive plan, giving to the counties the power of levying an assessment for the liquidation of all the turnpike debts within their county. Of course it would require arrangement where the trusts extended beyond the limits of the county; but that would be easily obtained by apportionments according to the revenue received. Permissive powers might be given to assess the county on the owners of property, a plan which is now adopted in the Scotch countries, namely, assessing the owners for the liquidation of the debt; that they should have the power at their own discretion of either consolidating all those trusts into one, or, if they chose to do it, of levying an assessment, either by a county or a district rate for the abolition of the turnpike gates, and putting them entirely on the assessment system. But, if you attempt compulsorily to throw the repairs upon the counties, I think that it will be met with very great opposition, and I think that it will not be carried through. The permissive system is in operation in Scotland, and although in one county, the opposite system, namely, the consolidation system, has been adopted; still, in other counties the system of assessment in lieu of tolls is being carried out every Session. During the last few Sessions (I may say that though I have been attending on another Committee this particular year, and could not be Chairman as usual, yet I was on the Committees; therefore, I have great practical knowledge of those details), there have been in each year, two or three, and even four, counties in Scotland which have come forward to adopt the assessment system. But then it must be remembered that in Scotland there are two inducements to adopt the assessment system, which would not exist in England; one of those inducements is that the trustees of turnpike roads in Scotland, in the majority of cases, are landowners, and are personally liable for the debts of the trust, and, therefore, they would be relieved of that personal liability by the assessment for the whole county. There is another thing which helps that system in Scotland, which is that by the present law in Scotland, railways are not in any degree assessable to the expense of the repair of the highways, except with regard to a very low amount, which is founded on the old Scotch valuation of a hundred pounds Scots, which is so nominal that it is never carried into practice. By the adoption of the assessment system, and the amalgamation of the turnpike roads with the highways, the railways are brought into the system for contribution, and in many cases that represents a very large contribution to the funds. Those two reasons operate towards inducing the adoption of the assessment system in Scotland, which would not operate in England where the railways are already assessable to the highways. But, I think that the permissive plan to assess the counties is the only plan which would receive favour from the counties, and the only plan which would be capable of being carried out without injustice. There is one point very often brought forward, which is that, that as persons going into local improvement towns have the right of driving about the streets, free of toll, it is but right and proper that the inhabitants of the towns should have the right of driving in the country, without contributing by the tolls to the repair of the road. That is not, I think, quite a fair argument, because the streets in a town stand, in a great degree, but not entirely, on the same footing as the highways of a parish. They are accesses to the premises in the town (they are not through thoroughfares) in the same way that the highways are accesses to the different tenements in the parish. I do not know that I have anything further to state, but I think that if tolls are abolished, it must be followed either by the consolidation of the turnpike trusts in the different counties, or by a permissive assessment in counties or districts.

3345. You think that there might be a difference of opinion in different counties, and that some might wish to have the consolidation system, and some the assessment system?—Yes.

3346. You would propose to make it permissive, so that they might take whichever they pleased?—Yes.

3347. Now, you have stated that the railway stations are chiefly in the vicinity of populous towns?—Yes.

Hon. *E. G. D. Pennant.*

2 June 1864.

3348. Are you well acquainted with the Great Western Railway?—No; not so well as with many others.

3349. Do you know the district between Oxford and Gloucester?—No; I am not acquainted with that district.

3350. If there are four or five stations with no great towns in the neighbourhood on this line, would not the turnpikes near those stations be a very great impediment to the public traffic?—I am not acquainted with that district; but I think I said the principal railway stations.

3351. On the other hand, take the continuation of the railroad through South Wales; are you acquainted with that part?—No.

3352. Are you acquainted with the same railroad as it passes through Herefordshire?—No.

3353. Or through Shropshire?—I am partly acquainted with Shropshire.

3354. Are there a great many stations which are not in the vicinity of towns in that district?—I mean that the principal railway stations are in the vicinity of populous towns, and that the avenues to those stations are mainly along thoroughfares which are thoroughfares to the towns, and which are turnpike roads.

3355. Take the small railway stations. The traffic to and from the small railway stations is surely much impeded by the erection of bars?—If there is a bar it is a turnpike trust.

3356. Is not that, in your opinion, a great impediment?—If I understand you rightly, you mean whether there may not be very great inconveniences from bars so placed, as to intercept the traffic coming to a small railway station. That is very possible; but that is capable of being set to rights by the system of consolidation; that system would do away with those bars.

3357. You admit the evil, and you think that it could be remedied in that way?—That is my opinion. The great evil in South Wales was the multiplicity of gates, arising from the multiplicity of trusts, which would be got rid of by the system of consolidation throughout a large area.

3358. Your opinion is, that either a system of consolidation, or a system of assessment, is necessary?—I think it is the best mode of making an alteration, if an alteration is decided upon.

3359. Mr. *Baring.*] You have stated to the Committee how you propose that the county should act with regard to the debt. How would you propose that the repairs of the roads should be provided for?—In Scotland it is laid half on the owners and half on the occupiers; the debt is always laid on the owners, but that is a matter of composition on the county. Meetings are held in the county for the purpose of agreeing how that shall be done, but at the same time it seems but fair that the owners (the debt being incurred for the making of the road, which is a permanent improvement) should bear some share of it.

3360. Would you propose that the repairs should be paid out of the county rate, if consolidation took place?—Yes, out of the county rate.

3361. What power would you give to the counties to deal with the different trusts; would you leave it as a matter of arrangement between the counties, the trustees, and the mortgagees, and those who have claims on the trust, or would you give compulsory power to the counties. Suppose that there is a trust with an Act for 31 years, of which there are 15 years to run, and that the county are willing to take the whole of the turnpike trusts in the county, and the trustees of the trust are not willing to come into it, what would you propose to do in that case?—I would give the county the power of levying a assessment for liquidating the debt, and the mo ment the debt was liquidated I would give the the power of amalgamating that trust with an other.

3362. That would depend on the liquidatio of the debt?—It would.

3363. Would you make it a condition that th counties should pay the whole amount of th debt, or would you take some steps to comput the fair value of the debt?—That might be le to arrangement between the mortgagees and th county, because you find now, with respect t the debts of those trusts, which have been re newed by Parliament within the last few years that the process of reduction is going on, by voluntary arrangement between the mortgagee and the trustees, who have the money to pay o the debts. That is going on at the rate of 7 per cent.

3364. You would make it dependent on th consent of the majority of the mortgagees?—I would make it dependent on the consent of a certain portion of the mortgagees. There is a majority fixed by the Act of Parliament now for an arrangement with the Home Office, and that seems to have worked well for many years I do not see why the same majority should no govern the minority in the case of any arrangement with the counties, as in the case of the arrangement with the Home Office. If a certain majority of the mortgagees consent to take a lower rate of interest, that is binding on the minority.

3365. Under the Local Government Act there is a clause enabling local boards to take the turnpike roads passing through their jurisdiction, with the consent of the mortgagees and the trustees, by a composition with the mortgagees?—Yes.

3366. You would allow the counties to make their bargain with the mortgagees, and that being settled, you would then force the trustees to abandon the whole thing?—I would force them to abandon the management of the roads to the counties subject to the county consolidating them with other trusts; or, if they chose, I would give them the power of abandoning the whole system of turnpike roads within their county.

3367. Do you think that without that process having been gone through, the Home Office should look more to the consolidation of the trusts than it does?—I think so. It would be attended with a great deal of economy, and it would remove the objection to numbers of turnpike gates, as now established.

3368. I suppose that it would be necessary to look to each district, and see what trusts could be consolidated?—It would certainly be necessary to look at the map.

3369. Of course, all Acts of Parliament do not end at the same time?—No.

3370. Would you defer dealing with a trust which was in a very bad state, say, for five or six years, because the Act of Parliament of another trust was going to expire, it being advisable that the two should be consolidated?—I think that for a short period of years, say two or three years, it would be very desirable to hang up such trusts, in order to deal with them all together.

3371. In the same way a difficulty might arise one trust having a small debt, and being in a good financial state, and another trust being very much indebted; you would have to provide for the

he security of the mortgagees whose investments were in a sound condition; you could not mix them up together, and destroy their property by consolidating them with comparatively insolvent trusts?—You speak now of arrangements with the Home Office, I presume; I think arrangements might be made, because it must be remembered that the security that the mortgagees have, is the revenue arising from the tolls on particular portions; and I think that you might make arrangements for consolidating the trusts without disturbing the security of the tolls.

3372. The main advantage of the consolidation would be to make the management much less expensive, I presume?—Yes, much less expensive; and also it would simplify the positions of the toll gates.

3373. Then, with regard to the proposal for the voluntary adoption of the turnpike trusts by the counties, have you considered whether it would be easier or more difficult to do it by a highway district?—I think that we have had hardly experience enough yet to judge of the working of the highway boards. One witness gave evidence that in the Highway Board within his district, they had just appointed a surveyor, who, he said, was a most improper person, and who had never seen a road. We know that the parish system was bad; I am rather apprehensive that this district system (but, at all events, it requires more time to prove that it will not do so) may devolve into hands where the management will not be quite so efficient as when the system was first started. Upon that point I wish to refer to the allusion which has been made to the Poor Law District boundaries, as being very good boundaries for the districts for those roads. I happen to have coloured on the Ordnance map, a union with which I am very well acquainted, and which will show to the Committee how very difficult it would be so to form the boundaries of the districts. That is one union (*explaining its position on a Map*), which will show that it will not be quite safe to adopt the union boundaries. The whole of that which is coloured, is one union; the separate parishes being differently coloured, and also the different counties; it is about 30 miles across, and the shape unfitted for a district of roads.

3374. It would rather be going back in legislation to start a fresh area for the management of the roads, would it not?—Yes, I think so; and the Poor Law Boards have enough to do.

3375. Would not it be, in your opinion, also an objection to giving the management to the counties, that the highways are in the hands of the Highway Boards?—You might say that there would be a double management, but I think that it might be carried out very economically by the county, independently of that; some portions might be handed over to the district surveyor, if he were an efficient man.

3376. With regard to the districts, do you think that there would be greater difficulty in having a small area, or in having a large area, to deal with the county, being a larger area than the highway district, would it, in your opinion, be easier for the county to make arrangements, than for the Highway Boards to do it?—I think that it would be easier for the county to deal with it; a large county might be divided; but a county, or a division of a county, would work it very well, I think.

3377. Of course you know the feeling among the ratepayers in the country against any increase in the county rates?—Yes.

3378. Would it, in your opinion, be more likely to satisfy the ratepayers if a body, such as the Highway Board, appointed by them, should make this arrangement, or that it should be given to the justices in quarter sessions; I speak of both the debt and the management?—But are you speaking of the assessment?

3379. I speak of a measure to abolish turnpikes, as a measure which must put an increase on the county rate?—Your question, as I understand it, is whether the ratepayers would rather have the decision of the question in the Highway Board, or that it should be left to the justices in quarter sessions. In the one case, you must necessarily form a highway district, in order to get an opinion.

3380. In counties where highway districts are formed, might it not be acceptable to the ratepayers that it should be left to the Highway Board?—That might be so; but, in any case, you would have the opinions of the different highway districts very much represented by the magistrates at quarter sessions. I think that, practically, their feeling would be very much the feeling of the different districts, because the magistrates, in the majority of cases, would be landowners, and therefore you would have the interests for or against the system represented, and that would be a sufficient security.

3381. Do you think that any mixed system might work well, placing the debt on the county rate, and the management of the roads in the hands of the highway district?—I think that it would be very practicable to carry it out, by the county leaving it to judge whether to delegate to the Highway Board those portions of the road within its district, because in some cases there might be a good surveyor appointed by the highway district, and in many cases a very inefficient one.

3382. Mr. *Alcock.*] There are 150 trusts that have no debt; do you not think it fair that those should be got rid of; that is to say, the 113 which are under the Continuance Act, which are out of debt, and the 37 which are under special Acts, and which have no debt; do you not think that it would be a proper thing for Parliament to take care that those 150 trusts should have their tolls taken off as soon as we can?—I myself entertain an idea that it would be rather unfair to make it compulsory that those trusts should be abandoned the moment the debt was reduced.

3383. But take the 113 trusts which are under the annual Continuance Act, having no debt whatever; do you not think that it would be fair to take care that they should have no longer the power of levying tolls?—No; I think that it would be unfair on the parishes to throw the repairs at once by compulsion on the parishes, which would be the case the moment you withdrew from them the protection of the Continuance Act. If the districts wished for the abolition of the gates, it would be very possible for them to apply to the Home Office, and if the general feeling of the district was shown to be that they would rather be left out of the Continuance Act in the following year, the Home Office might omit them.

3384. Do you know that for 30 years, 188 miles in Essex have been under this Annual Continuance Act, having no debt at all; do you think that that is proper and reasonable?—If there had been a general wish in the county that the system

Hon. *E. G. D. Pennant.*

2 June 1864.

should be abolished, they would have had the means of doing so by an application to the Home Office.

3385. But is it not contrary to common law to allow a toll to be levied anywhere, except under a special Act?—That Continuance Act is itself an Act of Parliament.

3386. But the moment that the debt was paid off, then, according to the common law of the country, there would be no right to have that special Act still in existence?—But I apprehend that the Continuance Act was passed in order to prevent the necessity and the expense of obtaining a special Act for a particular purpose, which special Act would be a mere repetition of the old Act in words.

3387. No doubt; but it stands to reason that it could not have been a special Act for the purpose of paying interest on money raised, if there had been no debt remaining. Where there was no debt the Committee would not, of course, I suppose, have granted a fresh Act?—I think that we have had no such case before our Committees.

3388. *Chairman.*] But you having had a special Act passed in order to get rid of the debt; surely when that debt is got rid of you would not advocate another special Act?—I would say that I think it would be unfair to throw on the parishes at once in a compulsory manner the repairs of those roads, and being deprived of the protection of the Continuance Act, would have that effect; that is the whole question.

3389. Do you think that it is fair to pass special Acts of Parliament for the purpose of repairs alone?—It is perfectly fair to maintain by the Continuance Act the turnpike system on roads which have been established for a particular purpose, those being thoroughfares of general utility.

3390. But you state that the Continuance Act is a *quid pro quo* for a certain number of special Acts of Parliament?—I fancy it is what it has practically been, that is to say, a continuation of certain turnpike trusts, the special Acts of Parliament for which had expired, whether they had debts or not; a continuance of those trusts irrespective of the debts.

3391. Is it fair, in your opinion, to continue an Act of Parliament, *alio intuitû*?—Where a district wishes to get rid of a trust, if the general opinion is in favour of the abolition of the turnpike gates within that district, I think by an application to the Home Office the trust might be left out of the Continuance Act, and the inhabitants of the district would have what they wished, which is, that the road should revert to the original system of highways if the inhabitants wish it. I do not see any hardship in the trusts being kept up under the Continuance Act.

3392. If the inhabitants generally wish it, you think that all the roads in the kingdom ought to be repaired by levying a toll?—Yes, I would make it permissive. If a parish wished to have it by assessment instead of tolls, I would let them do it, and give them every facility; but if they would rather pay a tollage and keep up the gates, I would let them do so; I see no injustice in the parishes being allowed to use their own judgment.

3393. Mr. *Baring.*] Supposing that those 150 trusts were omitted out of the Continuance Act, and came before you as chairman of the Road Committee, will you tell us whether the practice of the Committee would be to allow the Act of Parliament to be renewed, their being no debt, the feeling of the people who would have to pay tolls being in favour of the trust?—When y ask me the practice of the Committee, I am n aware that such a case has ever come before u therefore I could not say what the practice h been; probably my Honourable colleague and m self might take two different views of that subjec but if a strong case was shown by the distri that they wished to continue the turnpike syste my opinion is that they should be allowed to it; if there were peculiar circumstances in th district which made a tollage system more ju than an assessment system.

3394. Mr. *Alcock.*] Are you not aware th there are colourable debts kept expressly for th purpose of saying that they have got a debt, order to go before a Committee?—Upon th point a great deal of what has been said mus I think, have occurred in trusts which never hav been overhauled by Parliament; where trus have been overhauled by Parliament, the rul laid down are so stringent as to the money th come into the hands of the trustees, that it woul be impossible for them to depart from those rule It would be a very great improvement in the la if every ratepayer had the right to inspect th books of the trust at the office of the clerk within reasonable hours, by paying reasonabl fees; any ratepayer can go and inspect the book of the overseer in that way; and considerin that every ratepayer is more or less liable b any misappropriation of the funds by the trustee in consequence of the common law liability o the parish to repair the roads, I think it woul be just; I think that it would tend very much t check any misconduct on the part of the trustee or the clerks, with regard to the application o the monies coming into their hands.

3395. You are aware that the original sol object of all the Turnpike Acts was to enable th trusts to raise money for the purpose of improv ing the roads, in a manner which could not hav been done by the ordinary rates?—I am no quite sure whether the introduction of turnpik roads was not, in the first instance, owing to th very great wear and tear of certain roads whic inflicted a very great hardship on certain parishes

3396. But with regard to those 37 trusts o which there are no debts at all, suppose a truste said, "We have no debt, and therefore we hav no right to take tolls," how could they proceed t abolish their own tolls and put the liability o the parishes?—By a representation from th vestries of each parish to the Home Office; they are the persons who would be liable to the ex pense of the repairs.

3397. The Home Office could not act them selves, could they; the vestries could not go t the Home Office and say, "Will you allow us t do away with our tolls"?—I think that by th representation of the vestries to the Home Offic a case would be made, which would be met by th exclusion of the trust from the Continuance Act.

3398. I am putting the case of a special Ac of Parliament. Take Epsom, for which the Ac has to run on until 1870; their debt is paid off suppose they wish to take off the tolls, wha should they do?—I think that powers ought t be given to the Home Office to discontinue such trusts.

3399. But the Home Office could not repea an Act of Parliament, could they?—It can b put in the Continuance Act each year by clause; and it might be repealed by a clause i the Continuance Act if it was the expressed wish of the neighbourhood.

3400. *Chairman.*

3400. *Chairman.*] Then, in the event of the counties taking to it, how would you treat a trust which had still a certain term to run?—If the county system was brought into operation, I would only take cognizance of those roads which were turnpike roads when the Act of Parliament came into operation.

3401. But supposing there were then Acts of Parliament still having some years to run, how would you deal with them?—I would give power to consolidate those trusts.

3402. Supposing that the county took the view of non-consolidation, and took the view of assessment, how would you propose to deal with them in that case?—Then I would deal with them as I would deal with those cases where the vestries applied to the Home Office separately.

3403. Their Acts of Parliament would be repealed *ipso facto*?—It would be done very easily by a clause in the Continuance Act.

3404. Mr. *Walter.*] A good deal has been said in this matter about the common law liability. Is it your opinion, considering the altered circumstances of the roads since the time when the common law first existed, that the principle of the common law is fairly applicable to turnpike roads, namely, the principle that the repairs should be placed on the parishes?—No; the maintenance of the common law liability in that case would be precisely that which I consider would be an injustice in a great many cases.

3405. Now, with regard to this Carnarvon Trust, I make out that there are about 106 miles of road in that consolidated trust, and I see that there are about 20 gates in the district?—Yes, about that, I daresay.

3406. That is allowing a gate to every six miles. Can you state how many gates have been abolished since that consolidation took place?—No. I am not quite sure to what extent that consolidation took place, by amalgamation of the different trusts. I know it has existed for many years past as a county trust; but I may say, with regard to those gates, although the county is a very long one, those trusts comprise several branches in different directions which are distinct from others.

3407. Does one gate on this trust clear another one, or are they all paying gates?—I should say that some of those gates must clear the others; I have no doubt they do.

3408. But is it considered in Carnarvonshire that it is a satisfactory arrangement to have a turnpike gate every six miles?—I do not think that people would complain of paying a gate at that distance, provided the toll was not excessive.

3409. But one great objection to the whole system is, not so much the amount of the payment, as the nuisance of being stopped and having to show your ticket, is it not?—Certainly; I think that that is the principal objection which arises from the multiplicity of trusts.

3410. But still, even where the system may be considered to be a system of amalgamated trusts, we find that there is a gate every six miles; is not that a very considerable obstruction to the traffic?—No, indeed, I think not; I hear no complaints.

3411. Now, with regard to the fairness of the present system, it is contended that the turnpike system is fair, because it throws the burden of maintaining the roads on those who use them; can that be said to be strictly the case under the present system. Supposing the two doors of this room to represent two towns six miles apart, with one turnpike between them, represented by the fire-place, is it not the case that persons living on either side of that turnpike can go to the towns on either side without paying at any gate, and that they may be using the road day after day for years without paying a toll?—If they used the road to any extent I should think they would have to pay if they passed along the road.

3412. That is if they passed along the whole length of the road; but in many cases is it not the fact, that people living on either side of a gate, not requiring to pass through it, may escape payment?—I do not think that that is likely to occur to any great extent, because, I think, that generally there would be a gate to prevent their doing so. There are, of course, I know, a great many anomalies on the part of people passing a short distance, and not paying tolls. I have no doubt that near London, in Surrey, there are plenty of people who would very much rather pay a rate, and who, in coming up constantly to London, are very much inconvenienced by the toll gates; but, practically, in the country, it is not a very great evil. The great evil, I think, is the practice of having a great many small trusts. In all the modern Acts of Parliament there is a general clause prohibiting the taking of above a certain portion of the whole toll for short traffic.

3413. If the principle is to be carried out strictly, that those who use the road in a certain sense, that is to say, the people who travel on horses, or in carriages, ought to pay for the use of the road, would it not be fairer that they should pay by a rate than not at all, which is the case in certain instances under the present system?—But in many cases there would then be large classes of the community who would never pay at all.

3414. But a fundholder generally lives in a better house than a man who is simply a landowner and who is not a fundholder, and his house is rated accordingly?—Yes, but the landed occupier would be rated for the whole of his occupations.

3415. Colonel *French.*] You have stated, I think, that the county of Carnarvon is very long, and there are upwards of 70 miles of turnpike road in it?—It is about 70 miles long; the turnpike trust is, I think, 104 miles.

3416. What is the average breadth of the county?—It is a county shaped very much like Northamptonshire; it is very long and very narrow; it is a very awkward shape for all practical purposes of county concentration. I could not have given a better instance than Carnarvon of the practicability of managing such a trust, because a long county is usually very awkward; but in this case the trust works remarkably well.

3417. In that county the great extent of the turnpike trust is in its length; there are no lateral feeders, are there?—Yes, there are several.

3418. It is a very mountainous district?—Yes.

3419. Is there much lateral traffic?—Yes, there is, because all mountain districts have, of course, valleys; besides which, there is a considerable portion of Carnarvonshire which extends beyond the mountains.

3420. Since the year 1840, the management of your debt appears to have been very well carried on?—The debt had been for a long time 23,000 *l.*, just about the time when the Committees on Turnpike Roads began to sit; I then took a part with regard to the management of this

Hon. *E. G. D. Pennant.*

2 June 1864.

trust, and I represented to the trustees that it would be right to commence measures for liquidating the debt, and since that period, we have brought the debt down to 10,000 *l.* or thereabouts.

3421. But still, notwithstanding the consolidation of the trusts, to a certain extent, the expenditure on the roads averages about 17 *l.* a mile, does it not?—That, of course, would vary on different roads, and in different seasons; in a county like that, the winter may have a particular effect on the roads from floods, and things of that sort.

3422. But the average you have taken, is the average by the year?—Yes, the average by the year; but the expense is given for every month in the year, and each portion of the road.

3423. The result, generally speaking is, that even on this system, the roads cost you, on an average, 17 *l.* a mile, and the turnpike gates, on an average, are six miles apart?—I was just told so. I have never calculated that myself, and I am not sure that each of those gates is a paying gate.

3424. What is the expense of the Mid Lothian district which you have mentioned, where they have adopted the altered system?—I cannot say, but from the evidence given before those Committees that I have already referred to, I believe that nothing can be working better than that consolidation of the trusts in Mid Lothian.

3425. You are aware that the expense of the repair of the Irish roads does not exceed 8 *l.* a mile?—The cost of the repairs must vary so much, according to the material which is presented by the nature of the county, the expense of obtaining the material, and also the wear and tear of the road, that you cannot judge much by a comparison of that kind.

3426. However, you are pretty well off in Carnarvonshire for material?—We have very good material, and they are very good roads.

3427. I suppose that the railroad to Holyhead must have diminished very much the heavy traffic?—No; because the railroad passes through a very small portion of the county between Conway and Bangor; there is a little between Bangor and Carnarvon.

3428. But, on the whole, you prefer the system which you are now under in Carnarvonshire, to the abolition altogether of the turnpike trusts?—I really hardly know what the feeling of the county would be, but it is my opinion that the county are perfectly satisfied with the management of the roads, and I doubt very much whether they would not rather continue it.

3429. Mr. *Western.*] You have had the turnpike roads under your supervision for some years. Will you kindly inform the Committee whether, in your opinion, it would be more desirable in those trusts which are out of debt, that the trustees should have the power to abolish the gates, and to put them on the parishes, rather than that the Home Office should have the power of leaving those trusts out of the Continuance Acts?—I think that that question is one which is involved in a Bill now before the House of Lords, of Lord Romney's. I mentioned the other day to Lord Romney, that I thought that a power of enabling the trustees to discontinue the trust at a fortnight's notice, was hardly putting the parishes in a fair position, because it would enable the trustees to throw the repairs of those roads suddenly upon the parishes, without giving the parishes an opportunity of appealing against it, or in any way resisting it. I think it would be better that the Home Office should have an opportunity of hearing the statement of the inhabitants of the district.

3430. But the parishes are represented, are they not?—If the Board of Trustees are properly selected, they would be; in all modern Acts of Parliament the Board of Trustees are derived from different portions of the line, and in that case, the parish would be more or less represented by the trustees.

3431. You think it would be better that the Home Office should have the power of leaving those trusts out of the Continuance Act; but are you aware that they have continually refused to leave them out when applied to in the case of trusts out of debt?—No; I am not at all aware of that.

3432. Sir *William Jolliffe.*] I think we quite understand that you object to do away with the turnpike gates, where the traffic of two towns chiefly maintains the roads passing through the parishes that lie between them; you think it would be an unjust proposal that the traffic should be relieved of the toll which is now paid; and that the parish should be saddled with the expense of those roads; and you think it desirable to keep up the tolls in those cases?—I think that it would be very unfair to throw the expense of the road upon the particular parishes through which the road passes.

3433. Therefore your chief objection is that the towns and principal parishes having local Acts would escape any part of that burden for the maintenance of the roads?—Certainly, in many of those cases the towns that contributed the traffic would not be liable for the repairs.

3434. But advocating, as you do, a county consolidation, would not that objection of the town not being taxed for the repair of the road be done away with, supposing that the road was to be maintained without a turnpike, by a county rate?—I understand you to ask, that, supposing the system of assessment was adopted by the county, would the inhabitants within the district of the Local Improvement Act contribute to that county rate for the repairs of the roads.

3435. They would, undoubtedly, would they not?—They would be liable to that county rate; they would have to pay their contribution towards the repairs out of the county rate.

3436. Then, if the roads were maintained as county roads out of the county rate, all the objection of unequal taxation would be done away with, would it not?—Yes; that objection would be done away with, as far as the towns went.

3437. And you would also get rid of the enormous expenditure of collecting the revenue by tolls, I suppose?—You would get rid of the cost of collection in a great measure, but if you collect the funds to repair the road out of the rates, there is still a certain expense in collecting the rate; it is not an entire saving.

3438. There, however, is no comparison I suppose between the costliness of the two things?—No, it would be very much less, but still there would be the expense of collection, and I think myself that the cost of collection at those gates has been a little over rated. You will find in many country districts that the person who is the gate keeper gets his cottage rent free, he himself works on the road, and his wife keeps the gate.

3439. Yes, I believe the expense varies so completely in different cases, that I do not think it possible to form an exact idea on the subject; but

but you referred, in speaking of county consolidation, to a Bill that passed last year with regard to the metropolitan rates, and the consolidations which had taken place in the metropolitan roads north of the Thames, which had been attended with such beneficial results with regard to the extinction of the debt?—I referred to a consolidation which took place many years ago within the last 12 or 14, or 15 years.

3440. That accomplished the extinction of the debt, the amount of which was over 150,000 *l.*?—Perhaps it was that amount.

3441. The debt being extinguished within the metropolitan districts within six miles of Charing Cross on the 1st of next month, the whole of the tolls will be abolished, and the gates moved further off, merely for the maintenance of the roads in the country districts?—Yes.

3442. That Bill went before you last year, did it not?—I think not before me; but I am aware of all the circumstances, as I have been on one or two of the Committees with regard to that particular trust some years ago.

3443. Sir *William Jolliffe.*] (To Mr. *Wrightson*). That Bill had been referred to you, I suppose?—Yes, it was a Committee for that particular purpose.

3444. In that Bill which it was my duty to introduce into the House, I took care to have a clause drawn by which any of the parishes surrounding the metropolis might hereafter, without the expense of going to Parliament, relieve themselves of the tolls if they thought that the maintenance of the roads by rates would be better, and the effect of that provision in the 41st clause is secured in a similar way by a proviso to that clause; that clause states that if any local board, and so on, wishes to take any proportion of the roads on themselves, they shall have the means of doing so, and of maintaining them by rates; but it is provided "that where all the parishes in which any one district of road is situate, shall agree to maintain and repair the whole of that district of road as common highways, and shall give notice of the agreement to one of Her Majesty's principal Secretaries of State, he may, if he think fit, make in the Bill for the then next General Turnpike Continuation Act such provision as he thinks expedient that the district of road shall cease to be maintained, repaired, or watered by the Commissioners, and shall be maintained, repaired, and watered by the parishes accordingly, and such provision for any matters incidental thereto, as may be necessary;" therefore, any parishes that agree to take upon themselves the repair of the roads, can by an application to the Secretary of State in the next Continuance Act, get the road excluded from being maintained any longer as a turnpike road; do you think that that would be a beneficial clause with regard to turnpikes generally throughout the country?—It appears to me, though I am not aware of the precise wording of the clause to be exactly what I was mentioning just now, that the parishes might arrange with the Home Office.

3445. That would save the whole of the expense to the trustees of the road in coming to Parliament for any new legislation, and the parishes equally would save a large expense in relieving themselves of the toll-gates?—I think if you could satisfy the public mind that the Home Office would be able to secure the due expression of the opinion of the ratepayers through the vestries on this subject, that the Home Office should have the power, if they have not got it now, of discontinuing the turnpikes where the parishes were willing to take the repairs of the roads on their own assessment; it would save a great deal of labour to the Home Office if that system could be carried out; I think it should be guarded so that the real feeling of the ratepayers should be ascertained, but I do not know whether there is not that power even now in the Home Office.

3446. Mr. *Fenwick.*] I think I understood you to say that in the case of debts on turnpike trusts, you would put them on some large area, such as that of the county?—That is to say, if an alteration is made.

3447. Now the county rate is not levied I believe on all the property in the county; it excludes all the property in those towns where there is a separate Quarter Sessions; is not that so?—Do you mean that there are certain boroughs or towns which are exempted from the payment of county rates.

3448. Yes, those being boroughs which have separate Quarter Sessions?—I am not aware of that; there may be some rates which they are liable to, and others which they are exempted from, but that would have to be provided for if it were so in exceptional cases; it is a legal question.

3449. That being so, a payment by county rate would not be a just or a fair thing, would it?—It depends on whether it is the fact that they are not liable in any way for the county rates; I think that as they are made liable to militia stores and rates of that kind the difficulty would be very easily obviated.

3450. So that there would have to be a special county rate?—If they are now made liable under the Militia Store Act, to certain rates, I do not see why the same thing might not be made applicable to this.

3451. Have you considered the question of the payment of those debts by a rate on the highway district; do you think that that would be desirable?—In the first place, we have not got the highway district universally adopted; and, in the second place, the whole area of the county would be better, in my opinion.

3452. Many of the witnesses before the Committee have stated that the turnpike roads have ceased to be the main arteries of communication for the country, and that they have become merely roads for local traffic; do you agree or disagree with that statement?—I rather doubt the fact; I think that there always will be roads which will be of more general use than mere local highways.

3453. *Chairman.*] Are you not aware that the highways, and not the turnpike roads, form the avenues (to use your own expression) to a vast number of railway stations?—I mean the roads along which people travel when they go to railway stations.

3454. You mean the roads by which they reach the railways?—Yes; the roads by which they reach the railways; but I do not mean the merely proximate roads by which they reach them, because they may have travelled along a turnpike road for a long way before that.

3455. Take the case of the Gloucester and Hereford, and the Gloucester and Bristol, do you know that between those places there are, perhaps, 20 stations?—I do not know that particular line.

APPENDIX.

PAPER delivered in by Mr. *Scourfield*, 28 April 1864.

PEMBROKESHIRE.

Appendix.

At the General Annual Meeting of the Members of the County Roads Board, held at the Shire Hall, Haverfordwest, on the 27th day of January 1864, at 12 o'clock at noon.

Members Present:

John H. Scourfield, Esq., Chairman.
James Higgon, Esq
N. Roch, Esq.
John Colby, Esq.
J. B. LL. Philipps, Esq.
George Rowe, Esq.
Rev. R. Buckby.
J. LL. Morgan, Esq.
J. B. Bowen, Esq.
William Rees, Esq.
William Owen, Esq.
Lieut.-Gen. Wortham, General Superintendent.

Treasurer's Account.—At this meeting the abstract of the treasurer's account from the 31st December 1862 to the 31st December 1863, was examined and audited, and a balance of 189*l.* 16*s.* 7*d.*, found to be due to the Board.

Ordered, That the clerk do cause the abstract of the treasurer's account and vouchers, for the year 1863, to be bound together in proper order, and that he keep the book thus formed for inspection, as directed by the 71st section of the South Wales Turnpike Act (7 & 8 Vict. c. 91).

District Roads.—The statement of the receipts and expenditure for the year ending 31st December 1863, and the estimate for the year ending 31st December 1864, having been submitted to the meeting by the general superintendent, It is Ordered that the sum of 782*l.* 8*s.* be placed at the disposal of the Narberth District Board, and the sum of 581*l.* 1*s.* be placed at the disposal of the Haverfordwest District Board for the repair and maintenance of the roads, toll-houses, and gates within their respective districts, for the year 1864, and that, unless otherwise ordered at future meetings of this Board, one-fourth part of those sums be carried to the credit of the respective districts in their accounts with the treasurer on each of the following days, viz., 1st January, 1st April, 1st July, and 1st October.

Members of District Boards.—The clerk reported to this Meeting that the clerk to the District Boards had notified to him the election, by those Boards, of the following gentlemen to serve as members of this Board:—

Narberth District—Messrs. John Miles and John Roblin.
Haverfordwest District—W. Owen and W. Rees, Esqrs.

Ordered, That the following sums be paid by the treasurer:—

No.	*Salaries.*	£.	s.	d.
1.	Mr. James Summers, clerk to this Board, his quarter's salary, due 31st December 1863	11	5	–
2.	Mr. Walter Reynolds, clerk to the District Boards, the like, due same time - -	6	5	–
3.	Mr. Thomas Thomas, surveyor, the like, due same time - - - - - -	31	5	–
4.	Mr. Henry Davies, his year's allowance for making out treasurer's account for the year 1863 - - - - - - - - - - - - - - - -	5	5	–
	Bills.			
5.	Mr. E. J. Potter, his bill for printing and stationery - - - - - -	2	14	6
6.	Mr. James Summers, his bill for money paid for stamping agreements, &c. - -	2	11	6
7.	Mr. Walter Reynolds, for stamping cheques - - - - - - - -	–	10	6

Treasurer.—Ordered, That the treasurer of this Board be allowed commission at the rate of three-eighths per cent. on the amount of the annual expenditure.

Milford Railway.—That proceedings be taken against the Milford Junction Railway Company unless payment for the repairs required to the approaches to, and the road over the bridge, near Studdolph, be made within 21 days.

Vouchers.—As Voucher 19, county expenditure, for 5*s.*, vouchers 2 and 105, Haverfordwest district, for 18*s.* 4*d.* and 1*l.*, and vouchers 66, 70, and 75, Narberth district, for 2*l.*, 1*l.* 18*s.* 4*d.*, and 2*l.*, not having been presented by the treasurer, nor credited to him in the abstract, will be carried to the credit of the Board in his next year's account.

N.B.—The three last vouchers have been furnished since the abstract was made out.

With reference to the minute in January last, as to vouchers 19 and 43, for 5*s.* and 15*s.*, county expenditure of 1862; as voucher 43 appears to have been paid, a duplicate voucher will be made out and attached to the accounts of that year, and voucher 19 will be produced at the next meeting, and then similarly attached.

Caters Hook Gate.—That a new gate and posts be erected at Caters Hook, the gate to be of the same width as the Narberth toll-gate.

J. H. Scourfield, Chairman.

RECEIPTS.

	£. s. d.	£. s. d.
Balance by last Statement available for 1863.	- -	256 6 9
From Tolls:		
Haverfordwest District -	893 8 4	
Narberth - ditto - -	1,463 18 4	
		2,357 6 8
From County Treasurer:		
Composition for Bridges -	50 - -	
County Road rate - -	—	
		50 - -
From South Wales Railway for Company for Bridges.	—	—
From Milford - ditto - ditto -	—	—
Fines and Strays - - -	—	—
		2,663 13 5

EXPENDITURE.

BY COUNTY ROADS BOARD.

	£. s. d.	£. s. d.	Remarks.
To Public Works Loan Commissioners	- -	816 8 8	
Salaries	195 - -		
Stationery, Printing, and Advertising	13 2 -		
Rents of Toll-houses	36 16 -		
Premiums to Constant Labourers	6 - -		
Compensation to Clerks of Guardians	—		
Miscellaneous	11 14 -		
		262 12 -	

BY DISTRICT ROADS BOARDS.

No.		Miles.	Materials.	Labour. Constant.	Labour. Casual.	Tradesmen's Bills.	Miscellaneous.		
	HAVERFORDWEST DISTRICT:		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
1	Haverfordwest to Fishguard and Newport -	20.2	190 5 6	106 6 8	2 5 -	1 16 8	2 3 6	302 17 4	
2	Haverfordwest to Canaston Bridge - -	6.8	90 9 9	42 17 1	- -	1 2 -	- 14 -	135 2 10	
3	Haverfordwest to Milford - - - -	5.8	62 16 7	22 6 8	3 - -	3 17 9	- 3 6	92 4 6	
4	Haverfordwest to Pembroke Ferry - -	7.1	24 17 4	27 11 8	4 8 4	5 16 4	- 8 6	63 2 2	
	General Expenses - - - - -	-	- -	- -	- -	- -	4 11 10	4 11 10	
		39.9	368 9 2	199 2 1	9 13 4	12 12 9	8 1 4	- -	597 18 8
	NARBERTH DISTRICT:								
1	Canaston Bridge to Tavernspite - -	7.4	104 6 5	51 - 10	2 14 7	3 9 3	1 18 6	163 9 7	
	South-road, from Narberth to Prince's-gate -	2.4							
2	Castle Heli to Hobbs Point and Pembroke -	17.9	201 2 8	87 4 2	5 13 4	9 1 3	3 7 6	306 8 11	
3	Carew Cross-road to Canaston - - -	8.5	68 6 8	41 17 6	3 1 8	4 13 6	2 2 -	120 1 4	
4	Cold Blow to Tenby - - - - -	8.9	160 19 5	40 8 4	2 10 -	1 13 6	2 5 6	207 16 9	
	General Expenses - - - - -	-	- -	- -	- -	- -	7 2 7	7 2 7	
		45.1	534 15 2	220 10 10	13 19 7	18 17 6	16 16 1	- -	804 19 2
	Balance available for 1864 - - - - - - - - - - - - - -							- -	181 14 11
									2,663 13 5

CHARGES UPON THE COUNTY,

Executed by South Wales Commissioners, or Secretary of State, and Annuities Payable.

Date.	Amount of Charges.	Annuity.	Termination of Annuity.
	£. s. d.	£. s. d.	
25 March 1845	1,600 1 3	84 - -	26 March 1875 - -
29 Sept. 1845	13,625 16 3	715 7 -	30 Sept. 1875 - -
25 March 1846	325 6 10	17 1 8	26 March 1876 - -
		816 8 8	

OFFICERS

Appointed by the County Roads Board.

		Salary per Annum.
		£. s. d.
Treasurer - - - - -	William Walters, Haverfordwest	—
Clerk to the County Roads Board	James Summers, Haverfordwest	45 - -
Clerk to the District Roads Board	Walter Reynolds, Haverfordwest	25 - -
Surveyor - - - - -	Thomas Thomas, Narberth -	125 - -

27 January 1864.

H. Y. Wortham, Major General, General Superintendent of County Roads for South Wales.

Pembrokeshire Turnpike Roads.—Estimate of the Receipts and Expenditure for the Year 1864.

RECEIPTS.

	£. s. d.	£. s. d.
Balance by last Statement available for 1864.	- -	181 14 11
From Tolls:		
Haverfordwest District - -	900 - -	
Narberth District - - -	1,414 - -	
		2,314 - -
From County Treasurer:		
Composition for Bridges - -	50 - -	
County Road Rate - - -	—	
		50 - -
From South Wales Railway Company for Bridges for 1864:	7 - -	
Ditto arrears of 1863 - - -	7 - -	
Ditto „ 1862 - - -	7 - -	
		21 - -
Fines and Strays - - - -	- -	4 8 1
		2,571 3 -

The payments to the South Wales Railway Company for 1862 and 1863, and 4*l.* 8*s.* 1*d.* for fines and strays, have been received by the Treasurer, but not credited in his abstract for 1863.

EXPENDITURE.

BY COUNTY ROADS BOARD.

	£. s. d.	£. s. d.
To Public Works Loan Commissioners -	- -	816 8 8
Salaries -	195 - -	
Stationery, Printing, and Advertising - - - - - - - - - - - - - - - - - -	15 - -	
Rents of Toll-houses -	36 16 -	
Premiums to Constant Labourers - - - - - - - - - - - - - - - - - - -	6 - -	
Compensation to Clerks of Guardians - - - - - - - - - - - - - - - - -	—	
Due to Representatives of late J. Edwards (Narberth District) - - - - - - - - - - - - - -	21 8 6	
Balance available for Contingencies - - - - - - - - - - - - - - - - - - -	117 - 10	
		391 5 4

BY DISTRICT ROADS BOARDS.

No.	—	Miles.	Materials.	Labour. Constant.	Labour. Casual.	Repairs to Toll-houses.	Miscellaneous.		
	Haverfordwest District.		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		
1	Haverfordwest to Fishguard and Newport -	20.2	165 - -	104 - -	1 10 -	2 10 -	2 12 -	275 12 -	
2	Haverfordwest to Canaston Bridge - -	6.8	80 - -	39 - -	- -	- 10 -	- 12 -	120 2 -	
3	Haverfordwest to Milford - - - -	5.8	50 - -	23 - -	1 - -	3 - -	- 8 -	77 8 -	
4	Haverfordwest to Pembroke Ferry - -	7.1	22 - -	29 - -	2 - -	3 - -	1 19 -	57 19 -	
	General Expenses - - - - - -	-	- - -	- - -	- - -	- - -	50 - -	50 - -	
		39.9	317 - -	195 - -	4 10 -	9 - -	55 11 -	- -	581 1 -
	Narberth District.								
1	Canaston Bridge to Tavernspite - -	7.4	82 - -	45 10 -	2 - -	1 10 -	1 12 -	132 12 -	
	South-road from Narberth to Prince's-gate -	2.4							
2	Castle Heli to Hobbs Point and Pembroke -	17.9	190 - -	91 - -	4 - -	2 - -	2 16 -	289 16 -	
3	Carew Cross-road to Canaston - -	8.5	60 - -	39 - -	1 10 -	1 10 -	1 12 -	103 12 -	
4	Cold Blow to Tenby - - - - -	8.9	155 - -	45 10 -	2 10 -	1 - -	2 8 -	206 8 -	
	General Expenses - - - - - -	-	- - -	- - -	- - -	- - -	50 - -	50 - -	
		45.1	487 - -	221 - -	10 - -	6 - -	58 - -	- -	782 8 -
									2,571 3 -

CHARGES UPON THE COUNTY,

Executed by South Wales Commissioners, or Secretary of State, and Annuities Payable.

Date.	Amount of Charges.	Annuity.	Termination of Annuity.
	£. s. d.	£. s. d.	
25 March 1845 -	1,600 1 3	84 - -	26 March 1875 - -
29 Sept. 1845 -	13,625 16 3	715 7 -	30 Sept. 1875 - -
25 March 1846 -	325 6 10	17 1 8	26 March 1876 - -
		816 8 8	

OFFICERS

Appointed by the County Roads Board.

—	—	Salary per Annum.
		£. s. d.
Treasurer - - - -	Haverfordwest	—
Clerk to the County Roads Board	James Summers, Haverfordwest	45 - -
Clerk to the District Roads Board	Walter Reynolds, Haverfordwest	25 - -
Surveyor - - - - -	Thomas Thomas, Narberth -	125 - -

27 January 1864.

H. Y. Wortham, Major General, General Superintendent of County Roads for South Wales.

LIST of Tolls, Second Schedule, 7 & 8 Vict. c. 91.

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REPORT

FROM THE

SELECT COMMITTEE

ON

TURNPIKE TRUST

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1864.

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INDEX

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383--I.

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Questions in the Evidence; those following *App.* to the Pages in the Appendix; and the Numerals following *Rep.*, to the Pages in the Report.]

A.

ABOLITION OF TOLLS. Few trusts converted into parish roads within the last ten years, the tolls being extinguished, *Leslie* 67. 69—— Suggestion as to the course to be pursued with a view to abolition, in the case respectively of trusts in debt, and trusts free from debt, *Newmarch* 166 *et seq.*; *Talbot* 533 *et seq.*; *Clive* 938 *et seq.*; *Higgins* 1085 *et seq.*; *Lees* 1200 *et seq.*; *Gregory* 2268 *et seq.*; *Masefield* 2413 *et seq.*; *Sir J. Paxton* 2881 *et seq.*; *James* 2992 *et seq.*; *Wrey* 3139 *et seq.*; *Wrightson* 3237 *et seq.*; *Hon. E. G. D. Pennant* 3344 *et seq.*——Growing feeling of the public in favour of the tolls being at once abolished, and the repairs being borne by the rates, *Newmarch* 184. 186, 187—— Witness looks upon the system of toll-gates as a very barbarous system, for which the time has long since gone by, *Higgins* 1084.

Plan proposed for the immediate compulsory removal of all toll-gates, *Sir J. Paxton* 2932–2950——Any exceptional cases of inequality or hardship should not prevent the adoption of a comprehensive scheme of abolition, as proposed by witness, *ib.* 2961–2965 ——Under witness's scheme some trusts would still have tolls for a period, and some, that is those without debts, would be at once set free; it would be desirable to avoid this inequality, if possible, *Wrightson* 3255-3258. 3339–3341—— Total of 153 trusts having now no debt, *ib.* 3305.

Full concurrence of the Committee in the view of the Committee of 1836, that the abolition of tolls throughout the kingdom would be beneficial to the community, *Rep.* iii ——Exceptional instances in which the abolition of tolls, under the existing state of the law, may be unsatisfactory, *ib.* iv——Suggestion with a view to the speedy abolition of trusts that are at present free from debt, *ib.*—— Conclusion that the abolition of turnpike trusts, as now existing, would be both beneficial and expedient, and might be practicable if the system adopted in Scotland or in South Wales could be acted upon in each county in England and North Wales, *ib.*

See also *the Headings generally throughout the Index.*

Accounts. Provisions under the Act 3 & 4 Will. 4, c. 80, in regard to annual accounts being transmitted by clerks of trusts to the Home Office, *Leslie* 12–14.

Alcock, Mr. (*Member of the Committee*). Reference to a proposition by Mr. Alcock, a few years ago, in regard to the immediate removal of tolls by means of a rate on each parish, *Newmarch* 185——Explanation relative to a scheme suggested a few years ago by Mr. Alcock for the payment of the debt on the Reigate Trust, and for the maintenance of the road by the parishes; the scheme was favourably received by the trustees, *Lees* 1190–1212.

Aldsworth (*Gloucester*). Hardship under the present system in the case of Aldsworth parish in Northleach Highway District, *Talbot* 628. 633.

B.

Banstead (*Surrey*). Witness complains of the serious expense and inconvenience inflicted on his business, as a timber merchant at Banstead, by the toll-gate system; would willingly pay a larger sum annually to be rid of the tolls, *Wood* 914–934.

Bermondsey Trust. Continuance of the Act of this year by the Bermondsey Trust until 1866, the debt in this case being under 1,000 *l.*, and easily removed, *Bradfield* 698. 704. 731–733.

Report, 1864—*continued.*

Bingley Parish (*York*). Statement as to the large town traffic over the roads in the parish of Bingley, such roads communicating between the manufacturing towns of Keighley and Bradford, and Keighley and Halifax, &c., *Ferrand* 2056–2059——Total of 47¾ miles of road without turnpikes in the parish of Bingley, whilst there are eight miles of turnpike road, *ib.* 2056–2060——Very heavy cost of repairing the turnpike roads in the parish, and great increase of the local rates if such repairs were thrown on the parish, *ib.* 2059 *et seq.*——Amount derived from the tolls, which are let to lessees; probable profits of the latter, *ib.* 2059. 2153–2160.

Large quantity of moorland in the parish, which is of very low rateable value, *Ferrand* 2061, 2062. 2077–2081——Particulars as to witness having to pay for the repairs of about two and a-half miles of highway running through his property in Bingley parish, *ib.* 2063–2075. 2129–2137. 2199——Great hardship upon the parish if obliged to repair the turnpike roads running through it, and used chiefly by the manufacturers, *ib.* 2106 *et seq.*——Opposition by the farmers and by manufacturers to the removal of the tolls, as involving much hardship, *ib.* 2109. 2146. 2178–2196. 2229–2245——There are three gates in the parish, tolls being payable at all three, *ib.* 2121, 2122.

Bird, William. (Analysis of his Evidence.)—Complaint as to the grievance to Hammersmith by the intended placing of new toll-gates further westward, that is on the roads leading to Brentford and Acton, 2357 *et seq.*——Injury rather than benefit to Hammersmith parish by the removal of the existing gates and by throwing the roads on the parish, whilst at the same time the other gates in question are to be put up, 2359 *et seq.*——Expectation of an additional rate of one shilling in the pound for the repair of the roads in the parish when the present gates at Hammersmith and Kensington are removed on 1st July, 2362. 2394–2397.

Bolton (*Lancashire*). Witness is clerk to three turnpike trusts in the neighbourhood of Bolton, where he practices as a solicitor, *Watkins* 1480–1486——These trusts are the Bolton and St. Helen's, the Bolton and Westhoughton, and the Radcliffe, *ib.* 1483. 1485, 1486——Statement of the debt on each of these trusts, and of the arrangements being carried out for liquidating the same, *ib.* 1491–1499. 1503. 1505–1511——Unfairness and unpopularity of throwing upon the parishes or townships the debts and the repairs of the three roads or trusts to which witness is clerk, the traffic being to a great extent not of a local character, *ib.* 1504. 1519–1521. 1598–1600. 1619–1635.

Explanation as to the Bolton and St. Helen's Trust being now before Parliament for the repeal of one of the clauses in their Act; the expense will come out of the receipts of the trusts, *Watkins* 1499. 1526–1530——Amount of the expenses per mile in repairs, *ib.* 1515–1517——The present system works very well in the case of the three trusts before alluded to; constitution of the trusts adverted to hereon, *Watkins* 1521. 1548–1551——Number of gates and of tolls on these trusts, *ib.* 1552–1556——Period in which the debts might be paid off by the tolls, if the repairs were thrown on the county, *ib.* 1558–1561.

See also *Great Lever Township. Lancashire.*

Bradfield, John Edwin. (Analysis of his Evidence.)—Has been engaged for several years as agent for promoting the abolition of tolls in the metropolis; is now acting for parties interested in the removal of the tolls on the Surrey side, 694–697. 711–716. 775–777——Importance of steps being promptly taken by Parliament with reference to the toll-gates on the south side of the Thames; else they will be continued by the Annual Act, 698——Expediency of those trusts which are out of debt being excluded from the Continuance Act, and of the repairs being at once thrown upon the parishes, 698–700. 734–745——Anomaly in the north side of the river being cleared of the toll-gates whilst they are continued on the south side, 698. 701. 791.

Exemption of the Surrey Trusts from debt, except that there is a small debt on the Bermondsey Trust, 698. 704——Statement relative to the case of the Surrey and Sussex Trust, and the circumstances under which renewed in 1850; the trust is now entirely out of debt and witness contends that the toll-gates should be removed within the metropolitan area, 698. 717–730. 735–745. 769 *et seq*——Cause of the removal further back of some of the gates on the Surrey side in 1850; 698. 717–726. 770–774——Continuance by the Act of this year of the Bermondsey Trust until 1866; the debt in this case being under 1,000 *l.*, and easily removed, 698, 704. 731–733.

Anticipated opposition by the parishes on the Surrey side to the further removal of the gates and to their being liable for the repairs; argument that a similar opposition was not allowed to prevail against the Metropolis Roads Act, and that it should not now prevent the great and general improvement contended for, 701. 758 *et seq.*

With regard to trusts in debt, the Finchley Road Trust will expire in 1872, and the debt will then be valueless, so that no action need be taken in reference to such debt, 702, 703. 709, 710. 746–757. 834–845——The debt on the Commercial Road Trust will probably be liquidated when the trust expires in 1872; 705–707——Arrangement in regard to the debt on the Highgate Trust, 708.

Statement as to the objectionable operation of the Continuance Act, and the misconception consequent upon the manner in which it is dealt with by the Home Office, 709. 778, 779.

Bradfield, John Edwin. (Analysis of his Evidence)—*continued.*

779. 820–824. 896–898——Common-law liability of the parishes for the repairs of the roads; exceptional cases of hardship should not interfere with this liability being put in force, 760–763. 808–819. 825–833. 848* *et seq.*; 871–888——Great improvement in the value of property by the removal of toll gates, and advantage thereby to the parishes, on account of the increase in the rateable value, 763–768. 792–796. 858–860. 869–871.

Hardship upon the inhabitants outside the Surrey gates as compared with those on the town side, 777——Opinion that instead of being dealt with by Continuance Acts, the Surrey and Sussex Trust should be compelled to go before a Parliamentary Committee, 778–780. 896–900——Considerable opposition by the parishes to the course taken by the Committee of 1850 with reference to the Surrey and Sussex Roads, 781–790. 797–800——Doubt as to the roads transferred to the parishes in 1850 being in a bad state of repair, 801, 802.

Reference made by the Home Office to the trustees and to the parishes with respect to trusts being placed in the Continuance Acts; undue attention paid to the views of the parishes, 806–808. 861, 862——When the Act for any trust expires, the trust should come before a Committee at an early period of the Session, instead of being put into the Continuance Act by the Home Secretary, 820–824. 872, 873——Expediency of reviving the original liability of parishes, not only where trusts are out of debt, but where the debt is being gradually extinguished, that is, by keeping up the gates solely for the extinction of the debt, 846–848.

Approval of parish liability in the case of roads in Lancashire, over which there is a heavy traffic from large towns at either end, 848*–860. 865–871——Means of checking the artificial keeping up of the debt on any trust with a view to keeping up the toll-gates, 872, 873. 909–911——Number of miles in Essex under the Continuance Act, and amount of the tolls, 889–892——Frequent evasion of the gates at an increased injury to the roads, 893–895.

Feeling in Camberwell and Lambeth in regard to the abolition of gates in those parishes, 900——At present witness proposes to interfere only with those trusts whose Acts have expired, or will expire next year, 901——Expiration of the Act relative to the roads on the north side, through the Bill of last year coming into operation on 1st July next; large debt formerly on these roads, which has been paid off, 902–907——Enhanced expense of the Metropolis Roads Bill of 1863 through the opposition of the parishes, 908.

Brampton Parish (*Derby*). Calculation that in Brampton parish the highway-rate would be 2 *s.* in the pound, if the turnpike roads were thrown upon the parish; cost of these roads per mile, *Peach* 1645, 1668, 1669. 1759——Large proportion of the traffic in Brampton parish, which is through traffic, and is of no local benefit, *ib.* 1645–1648——Application now being made to Parliament to abandon twelve miles out of the fifty-seven of the trust represented by witness, *ib.* 1657–1659——Amount of the tolls and of the debt of the trust running through the parish of Brampton; gradual repayment of the debt, *ib.* 1666–1673——Statement as to the trust in Brampton parish having been before Parliament this Session, and as to its being provided that as soon as the debt is paid off the trust shall cease, *ib.* 1682–1694——A portion of the trust was originally repairable by the parish, *ib.* 1695–1700.

Bridges. In Scotland it was proposed in the case of bridge-trusts, that the bridges should be maintained by the same assessment as the roads, *Macduff* 399, 400——Question whether roads should not as well as bridges be repaired by the county, all bridges however not being so repaired, *Ellman* 2822–2829. 2845–2849. 2856–2859.

C.

Camberwell. Feeling in Camberwell in regard to the abolition of toll gates, *Bradfield* 900.

Carnarvonshire. Information relative to the consolidation of turnpike trusts in Carnarvonshire, and the exceedingly beneficial operation thereof, *Hon. E. G. D. Pennant* 3344. 3405–3410. 3415–3428.

Cirencester (*Gloucester*). Large debt in the cause of the Cirencester Trust; long period necessary for extinguishing this by means of the rates, *Newmarch* 179. 183, 184——Instance of a gate having been put up between Cirencester and Tetbury, in order to catch the passengers coming to the railway station, *ib.* 295, 296.

Clive, The Rev. Archer. (Analysis of his Evidence.)—Resides in Herefordshire 935, 936——Considers the system of turnpikes very vexatious and expensive, 937——The trust in which witness lives owes about a year's income, and he proposes that this debt be borne by the owners, and that the repairs be thrown upon the occupiers, 938 *et seq.*——In the case of trusts generally, where there are equitable debts, the owners should be made responsible for the debt upon a proper system of valuation, 942 *et seq.*——Future repairs should be provided for by a rate on the occupiers, levied not parochially, but over the district, 942 *et seq.*

Report, 1864—*continued.*

Clive, The Rev. Archer. (Analysis of his Evidence)—*continued.*

Sundry particulars relative to the trust in which witness is more immediately interested; the expenses are about equal to the receipts, so that the debt is not being reduced, 971 982. 992–998. 1019–1024——Advantage in the repairs being thrown upon the highway district, rather than upon the county, 984, 985. 1001–1004. 1025–1029——Impression of mortgagees that on the expiration of the current Acts, the security of the debts would be continued under Renewal Acts, 986–991. 1056–1058——Feeling of the magistrates and townspeople in Hereford in favour of getting rid of the tolls, 1005–1007——Feeling of the more intelligent farmers also in favour of the repairs being thrown upon the rates instead of upon the tolls, 1007.

Consideration of sundry objections to the proposition for placing the debts on the owners, and the repairs on the occupiers, 1018 *et seq.*——Benefit derived from the turnpikes by the property of the country, so that there would be no hardship in the debts being placed upon the owners, 1050–1055. 1070——Probable removal of occupiers objections to the highway district rate, if it had been thrown directly on the landlords, 1059–1067——Some highways might be done away with if the turnpike roads were free, 1068, 1069.

[Second Examination.]—Inequality in the event of the repairs being thrown upon the parishes, 3217——Contemplated adoption of the highway district as the area over which the repairs should be levied; difficulty in some cases, 3218–3223. 3231——Approval of the Highway Boards making arrangements for taking over the trusts, provided they levied a district rate for the purpose, and not a separate parish rate, 3224–3231.

Commercial Road Trust. The debt on the Commercial Road Trust will probably be liquidated when the trust expires in 1872, *Bradfield* 705–707.

Committeees on Road Bills. As Chairman for many years of one of the Committees before which Road Bills have been brought, witness explains the general principles pursued by the Committees in dealing with Bills relating to Turnpike Trusts, *Hon. E. G. D. Tennant* 80 *et seq.*

Witness has acted as Chairman for the last fifteen or sixteen years of one of the two Road Committees, and explains the principles upon which those Committees have acted in dealing with the Turnpike Bills referred to them, *Wrightson* 3233–3237——The subject of the renewal of Turnpike Trusts was fully discussed in 1849; and witness was a Member of the Committee which drew up the resolutions by which the two permanent Committees have since been guided, *ib.* 3233. 3236, 3237——Copy of these resolutions, *ib.* 3236——The two Committees have acted most cordially together, and there has been no difference of opinion or practice, except on mere minor points, *ib.* 3235, 3536.

Contemplated extension of the operation of Committees with reference to the expiration or continuance of trusts, *Wrightson* 3278–3280. 3305–3313——Inability of the Road Committees to deal with any trust unless it comes forward with a Bill, *ib.* 3328, 3329.——Cases in which there is no debt have ever been before the Committees, *ib.* 3330–3332——The system upon which the Committees have acted since 1849, was already partially in operation since 1843, *ib.* 3335–3337.

See also *Continuance Act.* *Debts of Trusts.* *Renewal of Trusts.*

Committee of Selection. Great aid derived by the Road Committees from the Committee of Selection, *Wrightson* 3329.

Compensation to Officers. Question as to the provision of compensation for officers connected with trusts if the toll system be abolished and the management be transferred, *Newmarch* 267–269.

Connaught. In the province of Connaught there never was such a thing as a toll-bar *Kelly* 1309.

Consolidated Fund. If tolls were abolished, the fairest way would be to levy the charge upon the Consolidated Fund, *Littler* 1975; *Ferrand* 2144. 2197, 2198.

Consolidation of Trusts. Excellent effect of the consolidation of trusts in South Wales in 1845, *Rickards* 337, 338——Amount of the establishment expenses of certain trusts near Bolton; question hereon whether the expenses of surveyors and certain incidental expenses might not be largely reduced by consolidation, *Watkins* 1531, 1532. 1542–1547. 1585–1596. 1601–1610. 1636——Consolidation would not be any benefit to the public though it might be economical to the trusts, *ib.* 1636–1638.

Diminished expense of management by consolidating small trusts, *Peach* 1656, 1657. 1737–1739; *Gregory* 2305, 2306——Excellent effects of consolidation in South Wales, *Scourfield* 1760 *et seq.*——Benefit anticipated if, on the expiration of any of the free trusts around Oldham, the question of consolidation were duly considered, *Littler* 1889–1892——Expense of management of the two trusts running through Bingley parish (York); doubt

Report, 1864—*continued.*

Consolidation of Trusts—continued.

doubt whether any economy could be effected by consolidation, *Ferrand* 2167-2173. 2206, 2207.

Witness submits that the existing evils may largely be obviated by the extended system of consolidation of trusts; statement hereon of the excellent results already derived from consolidation in South Wales, Mid Lothian, in the vicinity of London, and in Carnarvon, *Hon. E. G. D. Pennant* 3344. 3357, 3358. 3372. 3405-3428. 3439-3442——Proposition that it be permissive in counties to consolidate the trusts, or to liquidate them by means of a rate, *ib.* 3344 *et seq.*——Great economy of management if the trusts were consolidated, *ib.* 3344. 3367. 3372——Advantage of consolidation in the case of gates near railway stations not adjacent to large towns, *ib.* 3347-3357——Expediency of the Home Office looking more to the consolidation of the trusts, *ib.* 3367-3372.

Suggestion by the Committee that pending the abolition of the present system, attention might be directed to the subject of consolidation as a means of obtaining economy of management, *Rep.* iv.

See also *Carnarvonshire. Metropolitan Turnpike Roads. Pembrokeshire. South Wales.*

Continuance Act. Practice of the Home Office to put the trusts into the Continuance Act, where the debt has been extinguished, *Hon. E. G. D. Pennant* 89, 90——Statement as to the objectionable operation of the Continuance Act, and the misconception consequent upon the manner it is dealt with by the Home Office, *Bradfield* 709. 778, 779. 820–824. 896–898——Reference made by the Home Office to the trustees and to the parishes with respect to trusts being placed in the Continuance Acts; undue attention paid to the views of the parishes, *ib.* 806–808. 861, 862——Suggestion that the Home Office be directed not to put in the Continuance Act those trusts which are out of debt, *Wrightson* 3246. 3277-3280. 3305-3309——Advantage in the Home Office leaving trusts out of the Continuance Act, rather than in the trustees being enabled at once to discontinue the trusts, when out of debt, *Hon. E. D. G. Pennant* 3429-3431.

Suggestion by the Committee that certain trusts be excluded from the operation of the Continuance Act, and be obliged to come to Parliament for a renewal of their Acts, *Rep.* iv.

See also *Renewal of Trusts.*

Cost of Collection of Tolls. Great expense involved in the system of collection of tolls, *Newmarch* 188–193. 241–243. 282–294; *Clive* 977–980——Great waste of money under the present system of toll-gates and of repairs, *Higgins* 1132. 1144——Advantage in letting the tolls, rather than in the trustees collecting them, on account of the fraud of collectors, *Watkins* 1482–1490. 1534–1539. 1571–1573; *Peach* 1727–1730; *Masefield* 2488–2495. 2519–2521——Absence of fraud in the direct collection of the tolls on the trusts to which witness is clerk, *Littler* 1993–1996——Witness considers the system of toll-gates and of collection of tolls very costly and unequal; illustration of this, *Gregory* 2248–2253. 2339——Fraud and extravagance involved in the system of collection, *ib.* 2248–2253——Enormous expense of the system of collection by means of toll-gates, *Wrightson* 3237-3241.

Opinion that the cost of collection has been overrated, *Hon. E. G. D. Pennant* 3438——Reference by the Committee to the very costly collection involved in the system of tolls, *Rep.* iii, iv.

See also *Consolidation of Trusts. Establishment Expenses.*

County Rate:

Objection to the repairs of the turnpike roads being thrown upon the county; apprehension that the administration and supervision would not be efficient, *Peach* 1732–1735. 1740–1743——Dissatisfaction and unfairness involved in the principle of levying the maintainence of the roads upon the county, *Littler* 1945. 1982–1985. 2000——Question whether the tolls might not more fairly be abolished by a rate upon the county than upon the parishes in the highway district, *Masefield* 2517, 2518. 2534–2537.

Proposition that trusts with debt should be classified under three schedules, and the debts being properly valued should be paid off by a county rate spread over a term of years, *Sir J. Paxton* 2882, 2883——Opinion that the Legislature should enforce the immediate removal of all toll-gates, and should compel the counties to value and to liquidate the debts, *ib.* 2932–2950. 2961–2965——Reference to the adoption in South Wales of the principle of charging the debt upon the county rate, *ib.* 2980, 2981.

Expediency of the roads being thrown upon the extended area of the counties, rather than upon the parishes, *James* 2992. 3017-3019. 3085-3097——Statement in defence of the proposition for putting the turnpike roads on the county, whilst in the case of highways the common law liability is upon the parishes, *ib* 3085-3097.

Proposition that where the debts are liquidated the liability should be on the parishes up

Report, 1864—*continued.*

County Rate—continued.

up to 2 *s.* 6 *d.* in the pound, and that any further charge should fall upon the county, *Wrightson* 3237. 3246. 3259-3270. 3282-3293. 3333, 3334——With regard to the entire debt being at once placed in the county, witness would not have any great objection thereto, but thinks that the counties would not approve of it, *ib.* 3247-3254. 3275, 3276.

Opinion that the most feasible plan (if the present system be altered) would be to give a permissive power to counties to levy an assessment for the liquidation of the debts of the trusts within the county, or to carry out a consolidation of the trusts, *Hon. E. G. D. Pennant* 3344 *et seq.*——Satisfactory operation in Scotland of the system of permissive power in the county, *ib.* 3344. 3359——Great opposition apprehended if a compulsory county rate were sought to be enforced generally, *ib.*

When the debts are liquidated, and consolidation effected, the repairs should be paid for out of the county rates; greater fairness thereof than of a parish or district rate, *Hon. E. G. D. Pennant* 3359, 3360. 3375-3381, 3430-3436, 3446-3451——Conditions under which the counties and the mortgagees might arrange as to liquidation, *ib.* 3361-3366. 3371. 3400-3403——Inequality and expense to be got rid of by placing the roads upon the counties, *ib.* 3432-3438.

Conclusion of the Committee as to the expediency of adopting in each county in England and North Wales the same system as in Scotland or South Wales, *Rep.* iv.

See also *Highway Boards and Districts. South Wales.*

County Surveyors (*Ireland*). Examination undergone by witness before appointment by Government as County Surveyor of Roscommon, *Kelly* 1304. 1478——Duties of witness in connection with the supervision and maintenance of the roads, and the advising of the Grand Jury as to the acceptance of contracts for repairs, *ib.* 1305, 1306. 1318 *et seq.* 1458, 1459. 1461-1466——There are 1,500 miles under witness's charge, *ib.* 1344. 1405-1408——The salary of witness is 500 *l.* a year, and he has three assistants at 50 *l.* a year each, *ib.* 1345-1347. 1467-1472.

Crickley Hill Trust (*Gloucester*). Statement as to there being now no debt in the case of the Crickley Hill Trust, the tolls, however, being still kept up, and contributions in aid being received from the parishes; arrangement suggested in carrying out the removal of the toll-gates, *Newmarch* 166-168. 194-200. 249-254. 301-303——Considerable expense involved in the present management of the Crickley Hill Trust, *ib.* 282-294.

Purely local character of the traffic on the Crickley Hill Trust at Northleach, *Talbot* 556-558——There is no debt on this trust, the road being maintained partly by tolls and partly by the parishes; explanation hereon as to steps not having been taken to remove the toll-gates, *ib.* 561, 562. 571-582. 584. 587. 589, 590. 605-607. 624-627——If there were a debt on the trust, witness would prefer to pay it off by raising money on the rates, and would abolish gates altogether, *ib.* 563-565——Much greater cost of maintaining this turnpike-road than the roads under the Highway Act, *ib.* 565-570. 588. 591-596. 598-603. 608-614.

Croydon and Reigate Trust. Statement as to the debt of the Croydon and Reigate Trust when the trust was renewed in 1850, and as to the large reduction effected by 1860, *Hon. E. G. D. Pennant* 1300.

D.

Dawlish and Teignmouth Trust (*Devon*). Particulars relative to the Dawlish and Teignmouth Trust, the amount and value of the debt, the extent of the trust, &c, *Wrey* 3102 *et seq.*——The debt is about 20,000 *l.*, the selling value being about 45 per cent., *ib.* 3102, 3103. 3106-3108. 3119-3127. 3162-3168——The Act has only two or three years to run; this should be considered in arriving at the value of the bonds, *ib.* 3104, 3105. 3182, 3183. 3201——On part of the trust there are six tolls within a mile, *ib.* 3109, 3110——The tolls are all taken by the trustees for their interest, and the repairs are thrown on the district rate, *ib.* 3111-3113, 3120. 3139. 3154, 3155. 3179-3181——Complaint as to the mode of appointment of trustees, and as to the management of the trust, *ib.* 3113-3117. 3128.

Statement that the repairs on this trust should be thrown on the parishes, and that the debt might be placed upon the county, proper steps being taken to arrive at its real value, *Wrey* 3139 *et seq.*——Absence of hardship in placing the repairs of the Dawlish and Teignmouth Trust on the parishes; limited use of the roads by the towns, *ib.* 3171-3178. 3205, 3206——Obstructive character of a certain gate on the road to Dawlish, *ib.* 3183.

Debts of Trusts:

The mortgage debts in respect of turnpike trusts in England and Wales was in 1860, 4,688,134 *l.*, and in 1837, 7,011,989 *l.*; explanation hereon as to there being no return completed later than 1860, *Leslie* 6-11. 15-18——On 423 trusts the debt has been partly extinguished, *ib.* 23. 45-49. 64——Estimate of 4,350,000 *l.* as the amount of the

DEBTS OF TRUSTS—continued.

the total debt at present, *Leslie* 24-28——Improbability of the reduction of the deb going on at the same rate as hitherto, *ib.* 29-31. 50-52. 72-74.

Total of 1,085 trusts in England and North Wales, of which there are 942 with bonded debts, *Leslie* 32-34. 62, 63——Restriction under the Act 17 & 18 Vict. in regard to trustees making fresh loans, *ib.* 55, 56 —— Explanation as to the reduction of the debt not having always been effected by the payment of 20 *s.* in the pound to the mortgagees, *ib.* 57-61.

Means of the Road Committees for inquiring into the debt in each case, and getting at the actual value of the bonds, *Hon. E. G. D. Pennant* 80-83.—— Data by which the committees are guided in effecting compromises as between the mortgagees, the parishes, and the public, *ib.* 83-85—— Increased number of trusts coming before the committees and effect thereby as regards the liquidation of the debt, *ib.* 83, 84——Calculation that the debt is usually paid off at about three-fourths of its nominal value; illustration on this point, *ib.* 90-92. 95. 105-110——The operations of the committees have not tended to decrease the market value of the bonds, *ib.* 92.

Cases of mortgagees getting hardly anything upon their debt, *Hon. E. G. D. Pennant* 105, 106——Instances of very large nominal debts being extinguished through the operations of the Committees of the House, *ib.* 111-113——In England the tolls are generally the only security possessed by the mortgagees, *ib.* 121——Necessity of the sanction of the Secretary of State before the trustees can borrow money, *ib.* 146——Approval of the trustees being prevented from borrowing, *ib.* 150.

Means of checking the artificial keeping up of the debt of any trust with a view to keeping up the toll-gates, *Bradfield* 872, 873. 901-911——The tolls should be returned and the receipts applied to the debts until the debts are paid off, *Watkins* 1519. 1533. 1558-1561. 1632-1636—— Approval of the debts on the trust being kept up, if this be necessary for continuing the tolls, *Ferrand* 2200-2205. 2208 —— Proposed continuance of the turnpike system wherever there is a debt, until the debt is liquidated, *Wrightson* 3237. 3246——Reduction of about 2,400,000 *l.* effected in the bonded debt between the years 1843 and 1861, *ib.* 3338.

Calculation that the current value of the debt of England and North Wales is about 3,000,000 *l.*, which might be liquidated by an annual payment of 180,000 *l.* for twenty-five years, *Rep.* iv.

See also *Abolition of Tolls.* *Continuance Act.* *County Rate.* *Government Loan.* *Highway Boards and Districts.* *Interest on Debt.* *Renewal of Acts.* *South Wales.* *Wisbeach Clause.*

Derbyshire. Instance of a turnpike road in Derbyshire where a debt of 100,000 *l.* was voluntarily given up through the operation of the Parliamentary Committee, *Hon. E. G. D. Pennant* 111-113.

Evidence to the effect that the traffic over the turnpikes in North Derbyshire is pleasure traffic or mineral traffic, and that it would not, therefore, be fair to impose the repairs upon the local ratepayers, *Peach* 1644 *et seq.*——Very extensive mileage of turnpike roads in some of the parishes of North Derbyshire in proportion to the limited rateable value, *ib.* 1644, 1645. 1655——Particulars relative to the coal and other mineral traffic, and objection on this score to throwing the repairs upon the rates, *ib.* 1645 *et seq.*——Opinion in witness's district that it would be a gross injustice to throw the repairs on the parishes, *ib.* 1665. 1732.

With regard to the turnpike roads in Derbyshire there is very little mineral traffic upon them, *Sir J. Paxton* 2867. 2877-2879——Use of the roads near Chesterfield by Mr. Barker's colliery, whilst it escapes the toll-gates, *ib.* 2868-2874——Benefit to Chesterfield in coals being carried thither by railway, *ib.* 2874——Very little pleasure traffic on the roads into Chesterfield; the traffic is in fact almost entirely local, *ib.* 2875, 2876. 2880.

Information relative to the road in Derbyshire in respect of which a debt of 100,000 *l.* was given up by the Dukes of Devonshire, Norfolk, and Rutland; great advantage of the road to their several properties, *Sir J. Paxton* 2894-2897——Popularity in Derbyshire of an abolition of tolls on witness's system, *ib.* 3887.

See also *Brampton Parish.* *Matlock.*

Devizes Trust. Statement as to its being contemplated to get rid of the gates of the Devizes Trust; heavy cost of the roads of this trust, *Fox* 666-668. 685-688.

Devonshire. Feeling throughout Devonshire that the abolition of tolls would be a great public improvement, *Wrey* 3169, 3170.——*See* also *Dawlish and Teignmouth Trust.*

Downham and Fincham Trust (Norfolk). Details in connection with the Downham and Fincham Trust, the Act for which will expire in November next, when the tolls will be abolished;

Downham and Fincham Trust (*Norfolk*)—continued.

abolished; grievance hitherto in the ratepayers having to pay for repairing the roads without deriving any return from the tolls also paid by them, *Hewman*, 2579 *et seq.*—— The debt is 2,500 *l.*, and the arrears of interest are about 2,000 *l.*; arrangements by which the bondholders have consented to take 20 per cent. of bonds and of interest, *ib.* 2582. 2586–2590. 2604–2606——Expediency of the roads of the trust being repaired by rate rather than by toll, even if the latter had produced enough for the purpose, *ib.* 2620–2624.

Dulwich Turnpike Road. Complaint as to the Dulwich Turnpike, and as to the obstructive and unwise action of the Dulwich College Trustees in retaining the toll-gate, *Sir J. Paxton* 2864–2866. 2927–2930——Impediment to building on account of the turnpike, *ib.* 2864. 2886–2891.

Durham. Witness represents that much grievance arises from the toll-gates on all the roads leading into Durham, on account of the impediment thereby to persons entering the town, *Robson* 2632 *et seq.*——Instance in the case of the Shorncliffe-road of the oppressive operation of the toll-gate system, *ib.* 2637, 2638. 2644–2646. 2696——Origin under the Durham Paving Act of the six gates at the six entrances to town; misappropriation of the money received from the tolls or the debt would have expired long ago, *ib.* 2651–2657. 2710–2712——Debt of 6,300 *l.* now remaining in respect of the town gates, which will be paid off in twelve or fourteen years, *ib.* 2655. 2657. 2678–2682. 2714–2716.

Advantage if the turnpike roads leading into Durham were repaired out of the county rate; difficulty in cases where the trusts are in debt, *Robson* 2666–2677. 2688–2705. 2727–2740——Advantage also if the tolls on the town roads were abolished, and if the debt and the repairs were defrayed out of the rates, *ib.* 2673–2677. 2710–2718. 2724–2726——Local character of the traffic on the Durham and Shotley Bridge road, *ib.* 2684–2688.

Statement as to there being four turnpike gates near Durham where the toll is oppressive; there are also the six town gates, but the toll on these is much less, *Robson* 2689–2697. 2707–2709——Heavy debts on some of the trusts, whilst on others the debt is but small; the tolls should be abolished in all cases, *ib.* 2698–2705. 2727–2733——Explanation as to the Town Council collecting their tolls instead of letting them; limited expense incurred, *ib.* 2719–2723. 2741–2743.

E.

Ellman, Frederick. (Analysis of his Evidence).—Is Clerk to the Hollington and Hastings, the Laughton, and the Hood's Corner Turnpike roads; was once clerk to the Flimwell-road, 2744–2746——There is also the St. Leonards and Seddlescombe Trust in this neighbourhood, 2746——Statement of the mileage of each of these five trusts, and of the expenses of management in each case, 2747–2751. 2861–2863——The management is on the whole economical, 2752–2754——Practice as to the repairs of these five trusts; three of the roads are more or less repaired by the parishes, 2755–2767.

Suggestion whether the debt and the repairs of these trusts should not be paid by local or county rates, with a view to the abolition of the tolls, 2768–2770. 2775–2786. 2822–2829. 2856–2860——Increased receipt from the gates near Hastings and St. Leonards; advantage of the roads in regard to the increase of these towns, and the value of the land there, 2772–2776——Fairness in Hastings and St. Leonards, as being benefited by the roads, being rated for their maintenance, 2775–2783——Increased amounts received at the last lettings of the toll-gates on the Flimwell Trust Road, 2787.

Consideration of complaints by Mr. Gregory as to the numerous tolls paid by him; this is owing to the multiplicity of the trusts, 2788–2802——Explanation as to the continued collection of tolls on the Laughton Road, the trust having been forty years out of debt, 2803–2821——Less objection by the parishes to being rated for the roads under the new Highway Act than under the old Act, 2817–2821. 2830–2834. 2850–2854——Question whether roads should not, as well as bridges, be repaired by the county, all bridges however not being so repaired, 2822–2829. 2845–2849. 2856–2859.

If the parishes were agreed the Highway Boards would be obliged to take the maintenance of the roads, 2830, 2831——Particulars relative to the financial state of the Flimwell Trust; slow progress hitherto made in reducing the debt, 2835–2843——Amount of the debts remaining on the several trusts running into the neighbourhood of Hastings, 2844——Aversion in the Hailsham district to the abolition of the gates, 2850–2854——Feeling in East Sussex as to the unduly large size of the districts, and the difficulty of getting parish surveyors to keep the roads in a proper state, 2853–2855. 2860–2863.

Report, 1864—*continued.*

England's Gate Trust (*Hereford*). Information relative to the England's Gate trust, near Ledbury; large portion of the income which is absorbed by the expenses, *Higgins* 1090–1095. 1102. 1113. 1114——Statement as to the recent renewal of the Act of the Trust, *ib.* 1103–1112.

Essex. Number of miles in Essex under the Continuance Act, and amount of the tolls, *Bradfield* 889–892.

Establishment Expenses. The official expenses of witness's trust are 130 *l.* a-year for fifty-seven miles, *Peach* 1725, 1726. 1731——Amount of the establishment expenses for managing the roads in witness's district in Pembrokeshire, *Scourfield* 1778–1789——Statement of the mileage and officer's expenses in the case of each of the four trusts communicating with Oldham; total of fifty-eight miles of road, the expense of officers being 465 *l.*, *Littler* 1846–1863. 1870——Very expensive management in the Ledbury, Tenbury, and other trusts in Herefordshire, *Masefield* 2419 *et seq.* 2461–2475. 2514–2525.

See also *Consolidation of Trusts.* *Cost of Collection of Tolls.*

Evasion of Toll Gates. Frequent evasion of the gates, and increased injury thereby to the roads, *Bradfield* 893–895.

Everleigh Trust (*Wilts*). Very small receipts from the gates on the Everleigh trust, so that the parishes have had largely to contribute, *Fox* 688–693.

Expense. See *Consolidation of Trusts.* *Cost of Collection of Tolls.* *Establishment Expenses.* *Renewal of Trusts.*

F.

Failsworth Township. See *Lancashire.*

Falmouth. Reference to a trust, twenty-four miles long, running westward from Falmouth, on which there are sixteen gates, *Wrightson* 3237.

Ferrand William (Member of the House). (Analysis of his Evidence.)—Statement as to the large town traffic over the roads in the parish of Bingley, such roads communicating between the manufacturing towns of Keighly and Bradford, and Keighley and Halifax, &c., 2056. 2059——Total of 47¾ miles of road without turnpikes in the parish of Bingley, whilst there are eight miles of turnpike road, 2056–2060——Very heavy cost of repairing the turnpike roads in the parish, and great increase of the local rates, if such repairs were thrown on the parish, 2059 *et seq.*——Amount derived from the tolls which are let to lessees; probable profits of the latter, 2059. 2153–2160——Large quantity of moorland in the parish, which is of very low rateable value, 2061, 2062. 2077–2081.

Particulars as to witness having to pay for the repairs of about two and a-half miles of highway running through his property in Bingley parish, 2063–2075. 2129–2137. 2199——Considerations as to effect of the vicinity of the towns and of the railway upon the value of the land in the parish, 2076–2105. 2118–2120. 2123–2128. 2238–2245——Great hardship upon the parish if obliged to repair the turnpike roads running through it, and used chiefly by the manufacturers, 2106 *et seq.*——Opposition by the farmers and by manufacturers to the removal of the tolls, as involving much hardship, 2109. 2146. 2178–2196. 2229–2245——There are three gates in the parish, tolls being paid at all three, 2121, 2122.

Objections to a system of highway districts over which to levy the expenses of repairs in agricultural parishes, 2142–2146. 2179–2188——If tolls were abolished, the fairest way would be to throw the repairs on the nation at large, 2144. 2197, 2198——Circumstance of witness not contributing for using the streets of Keighley or Bradford, 2147–2152——Expenses of management of the two trusts running through Bingley parish; doubt whether any economy could be effected by consolidation, 2167–2173. 2206, 2207.

Further reference to the feeling of manufacturers in witness's district against the removal of the tolls, 2189–2193——Fairness of the principle of making those who use the roads pay for them, 2194–2196. 2221–2228——Approval of the debts on the trusts being kept up, if this be necessary for obtaining the tolls, 2200–2205. 2208——Large traffic from the mills, &c., which pass over the Leeds, Kirkstall, and Bradford road, 2210–2216——Unfairness in millowners being rated to the roads on the value only of their mills, whilst agriculturists should pay in proportion to the value of the land, 2218–2220.

Finchley Road Trust. The Finchley-road trust will expire in 1872, and the debt will then be valueless, so that no action need be taken in reference to such debt, *Bradfield* 702, 703. 709, 710. 746–757. 834–845.

Flimwell and Hastings Trust (*Sussex*). Statement as to there being six tolls on the 17½ miles of the Flimwell and Hastings trust, *Gregory* 2253, 2254——Large debt upon the trust without any prospect of its liquidation, *ib.* 2259–2263. 2274–2282——Further

Report, 1864—*continued.*

Flimwell and Hastings Trust (*Sussex*)—continued.

statement as to the amount of the debt in the case of the Flimwell and Hastings trust, and the number of gates on the road to Hastings and St. Leonard's, *Gregory* 2577.

The distance of the trust is eighteen miles, *Ellman* 2747——The establishment expenses are about 52 *l.* a-year, *ib.* 2751——The tolls used to be nearly 5,000 *l.* a-year, but have been greatly reduced through the railways, *ib.* 2772——Increased amounts received at the last lettings of the toll-gates, *ib.* 2787——Particulars relative to the financial state of the trust; slow progress hitherto made in reducing the debt, *ib.* 2835–2843——In 1849 the mortgage debt was about 26,000 *l.*, and is now 22,400 *l.*, *ib.* 2836–2840.

Fox, John James. (Analysis of his Evidence).—Information relative to the abolition in 1824 of the Market Lavington trust, the debt having been paid off by voluntary contributions, and the roads having since been maintained by the parishes according to the mileage in each, 645 *et seq.*—— Very satisfactory operation of the present system of supporting and repairing the Market Lavington road, 657–665. 676–681——Statement as to its being contemplated to get rid of the gates of the Devizes trust; heavy cost of the roads of this trust, 666–668. 685–688——Very small receipts from the gates on the Everleigh trust, so that the parishes have had largely to contribute, 688–693.

G.

Glamorganshire. Opinion as to the hardships of abolishing tolls if the repairs are to be placed upon the parishes; instances of this in Glamorganshire, *James* 2989–3006——Character respecting the highways and turnpikes in Glamorganshire, *ib.* 2996. 3026–3029. 3089——There is no heavy goods on mineral traffic over the turnpikes in the country, *ib.* 3000–3002. 3041–3043.

Government Loan. Suggestion that Government might lend for twenty-one years, the money for paying off the debts of trusts, chargeable on the rates, *Masefield* 2413, 2414. 2428, 2429——Advantage if the money for paying off a Government loan were levied by rate on the landlords, the occupiers being rated for the repairs, *ib.* 2436–2457. 2496–2513. 2552–2564.

See also *South Wales.*

Great Lever Township (*Lancashire*). Very large increase in the highway rate of the township of Great Lever, if it had to repair the turnpike road between Bolton and Manchester; improved rateable value of the township through the neighbourhood of those towns, *Watkins* 1525. 1575–1584.

Gregory, George Burrow. (Analysis of his Evidence.)—Solicitor; resides in Sussex, 2246——Considers the system of toll gates very costly and unequal; illustration of this, 2248–2253. 2339——Very oppressive character of the tolls in the neighbourhood of Hawkhurst, Battle, and Ticehurst, 2253 *et seq.*——Statement that witness can go to Hastings more cheaply by railway than by driving there, 2254–2256——Large debt upon the Flimwell and Hastings trust, without any prospect of its liquidation, 2259–2263. 2274. 2282——Instance of a catch gate having been put up after the introduction of the railway, 2263, 2264.

Impediment and danger to the traffic by the toll gates, 2265——Feeling in the parishes in witness's district in favour of the tolls being abolished, 2266. 2353–2355——Proposition that the debts and repairs of turnpike trusts be undertaken by the Highway Boards upon the plan of a district rate, and that the toll gates be abolished, 2268 *et seq.*——Way in which the debts should be valued and dealt with under the system of a highway district rate for turnpikes, 2268. 2272–2287. 2291–2295. 2320——Permissive character of the scheme contemplated by witness in regard to the Highway Boards combining to take upon themselves the debts and the repairs, 2268. 2283, 2284. 2312–2320. 2329.

Witness has always considered that the modern system of renewal of trusts was a renewal once for all, with a view to the termination of tolls at the end of the period; approval thereof, 2295. 2329. 2335–2338——Large proportionate cost of collection in rural districts, 2296–2298——Heavy tolls in witness's district adverted to with reference to the large outlay in improving and repairing the roads, 2299–2304. 2314. 2315. 2321–2328——Economy by consolidating the trusts, 2305, 2306——Anomaly in there being two conflicting jurisdictions over the roads; expediency of their consolidation, 2340–2344——Attention paid to the turnpike roads in witness's district by the trustees; constitution of these bodies adverted to hereon, 2345–2352.

[Second Examination.]—Further statement as to the amount of the debt in the case of the Flimwell and Hastings trust, and the number of gates on the road to Hastings and St. Leonard's, 2577.

Report, 1864—*continued.*

H.

Hailsham (*Sussex*). Aversion in the Hailsham district to the abolition of the gates, *Ellman* 2850–2854.

Hammersmith. Complaint as to the grievance to Hammersmith by the intended placing of new toll-gates further westward, that is, on the roads leading to Brentford and Acton, *Bird* 2357 *et seq.*——Injury rather than benefit to Hammersmith parish by the removal of the existing gates, and by throwing the roads on the parish, whilst at the same time the other gates in question are to be put up, *ib.* 2359 *et seq.*——Expectation of an additional rate of one shilling in the pound for the repair of the roads in the parish when the present gates at Hammersmith and Kensington are removed on the 1st July, *ib.* 2362. 2394–2397.

Hastings. See *Flimwell and Hastings Trust. Sussex.*

Heavy Traffic. Expediency of an increased or additional payment, as in France, by those who cut up the roads very much by heavy traffic; suggestions as to the assessment of such payment, independently of the rateable value, *James* 3039, 3040. 3043–3081.

Herefordshire. The trust, in Herefordshire, in which witness resides, owes about a year's income, and he proposes that this debt be borne by the owners, and that the repairs be thrown upon the occupiers, *Clive* 938 *et seq.*——Sundry particulars relative to the trust in which witness is more immediately interested; the expenses are about equal to the receipts, so that the debt is not being reduced; *ib.* 971–982. 992–998. 1019–1024——Impression of the mortgagees that on the expiration of the current Acts, the security of the debts would be continued under renewal Acts, *ib.* 986–991. 1056–1058.

Feeling of the magistrates and ratepayers in Herefordshire in favour of the abolition of the turnpike system, *Clive* 1005–1007; *Higgins* 1081–1083. 1088——Local character of the traffic on the trust in which witness is concerned, *Clive* 1019–1021——Local character of the traffic on the turnpikes in the county, *Higgins* 1098–1101.

See also *Ledbury.*

Higgins, The Rev. Edward. (Analysis of his Evidence.)—Is chairman of a Highway Board, and is owner of property in Herefordshire and Worcestershire, 1077–1080——Opinion expressed by the magistrates in Hereforshire in favour of the abolition of tolls, 1081–1083——Witness looks upon the system of toll-gates as a very barbarous system, for which the time has long since gone by, 1084——Proposition that the repair of the roads be thrown upon the ratepayers or occupiers, and that the rate be upon the highway district rather than the county, 1085——The debt should be placed on the landlords, their property being benefited by the roads, 1086, 1087.

Feeling of the ratepayers in Herefordshire in favour of the abolition of the turnpike system, 1088—— Information relative to the England's Gate trust, near Ledbury: large portion of the income which is absorbed by the expenses, 1090–1095. 1102. 1113, 1114——Great injury to small rural towns through the turnpike system, 1096, 1097——Local character of the traffic on the turnpikes in Herefordshire, 1098–1101——Statement as to the recent renewal of the Act of the England's Gate trust, 1103–1112.

Further evidence in favour of the proposition that the repairs be borne by the ratepayers, and that the rate be levied over the highway district, and the roads be managed by the highway boards, 1115 *et seq*——Advantage in the roads being looked after by the ratepayers as having a direct interest in the matter, that is, through the instrumentality of the waywarden rather than of the surveyor, 1132–1144. 1174–1186.

Great waste of money under the present system of toll-gates and of repairs, 1132. 1144——Expediency of the highway district arrangement being made compulsory; decided approval hereon of the new Highways Act, 1145, 1146. 1150–1155——Practice as to the rate for the repair of the road in the town of Ledbury, 1164–1173.

Highgate Trust. Arrangement in regard to the debt on the Highgate trust, *Bradfield* 708.

Highland Roads. The Highland roads are no longer supported by public grants, but by the counties, *Macduff*, 500. 521–524.

Highway Boards and Districts:

Suggestion that where there is no debt, if the tolls are abolished, the quarter sessions should settle the proportions of the rate for the various parishes in the highway district, *Newmarch* 166–169. 221–224. 232–235. 245–273. 297, 298——Where there is no debt it would be better to place the whole management under the District Highway Board, *ib.* 169——Way in which witness would carry out an abolition of tolls with regard to those trusts that are in debt; recourse to be had to the district for this purpose, *ib.* 170185. 237–240. 299——Inequality in highway districts as to the burden of repair thrown upon different parishes; witness does not propose to interfere with this system, but considers that in the case of turnpike roads made toll-free the burden should be assessed by the quarter sessions, *ib.* 221–235. 249–281——Way in which witness's scheme might be carried out without the Highway Act being made compulsory, *ib.* 244–248.

Report, 1864—*continued.*

HIGHWAY BOARDS AND DISTRICTS—continued.

Important economy of staff, &c., if the turnpike trusts in the county were put under the management of the Highway Board, *Talbot* 553–555——Less difficulty of a rate if it were assessed upon the highway district or the county, *ib.* 597. 615–617.

Future repairs should be provided for by a rate on the occupiers, levied not parochially but over the district, *Clive* 942 *et seq.*——Advantage in the repairs being thrown upon the highway district rather than upon the county, *ib.* 942 *et seq.*; 984, 985. 1001–1004. 1025–1029——Probable removal of occupier's objections to the highway district rate if it had been thrown directly on the landlords, *ib.* 1059–1067.

Evidence in favour of the proposition that the repairs be borne by the ratepayers, and that the rate be levied over the highway district, and the roads be managed by the highway boards, *Higgins* 1085. 1115 *et seq.*——Expediency of the highway district arrangement being made compulsory; decided approval hereon of the new Highways Act, *ib.* 1145, 1146. 1150–1155——Opinion that instead of defraying the debt and meeting the repairs by a rate on the parishes through which the road runs, it would be better to levy the charge over the highway district, *Lees* 1200–1205. 1257–1262.

The highway system works well in Pembrokeshire, but witness submits that there are several objections to including the turnpike roads under such system, *Scourfield* 1802–1810. 1814–1820.

Proposition that the debts and the repairs of the turnpike trusts be undertaken by the highway boards upon the plan of a district rate, and that the toll-gates be abolished, *Gregory* 2268 *et seq.*——Permissive character of the scheme contemplated by witness in regard to the highway boards combining to take upon themselves the debts and the repairs, *ib.* 2268. 2283, 2284. 2312–2320. 2329——Way in which the debts should be valued and dealt with under the system of a highway district rate for turnpikes, *ib.* 2268. 2272–2287. 2295. 2320——Anomaly in there being two conflicting jurisdictions over the roads; expediency of their consolidation, *ib.* 2340–2344.

The rate for repairs should be put upon the highway district, each parish paying its proportion, *Masefield* 2414–2418. 2450–25452. 2496–2511. 2529–2537. 2557–2564——Economy by placing the trusts under the management of the Highway Board, *ib.* 2538, 2539——Less objection to the parishes being rated for the roads under the new Highway Act than under the old Act, *Ellman* 2817–2821. 2830–2834. 2850–2854——If the parishes were agreed, the Highway Boards would be obliged to take the maintenance of the roads, *ib.* 2830, 2831——The Highway Boards could efficiently manage the turnpikes as well as in highways, *James* 2988, 2989.

Contemplated adoption of the highway district, as the area over which the repairs should be levied; difficulty in some cases, *Clive* 3218. 3223. 3231——Approval of the Highway Boards making arrangements for taking over the trusts, provided they levied a district rate for the purpose, and not a separate parish rate, *ib* 3224–3231.

Expediency of the highway rate being made compulsory in order to carry out witness's proposition for throwing the roads on the highway districts under a system of parsh liability, *Wrightson* 3237. 3274. 3294–3304. 3315–3327—— Satisfactory operation of the new highway system, so far as it has been tried, *ib.* 3316–3327. 3342, 3343.

Obstacle to placing the repairs upon the highway districts, or the management under the Highway Boards, *Hon. E. G. D. Pennant* 3344. 3373–3381. 3451——There is not yet sufficient experience of the working of Highway Boards, *ib.* 3344. 3373. 3451.

See also *County Rate. Highways.*

Highways. Some highways might be done away with if the turnpike roads were free, *Clive* 1068, 1069——Opinion that the turnpike roads could be repaired at much less expense under the Highways Act, *Watkins* 1501, 1502——Better condition of the turnpike roads in Lancashire than of the highways, *ib.* 1569.

Holyhead Road. The case of the Holyhead-road would be an exceptional one as regards the proposed compulsory payment of the debt out of the county rates, *Sir J. Paxton* 2972–2974.

Home Office. Approval of a jurisdiction in the Home Office upon the subject of any trust not going before a Committee, with a view to saving the expense of a private Act, *Wrightson* 3305–3313.——*See* also *Continuance Act.*

Horse Tax. Opinion that a horse tax would be the fairest mode of providing the necessary repairs, *Howman* 2621. 2624.

Howman, The Rev. Edward John. (Analysis of his Evidence.)—Details in connection with the Downham and Fincham trust in Norfolk, the Act for which will expire in November next, when the tolls will be abolished; grievance hitherto in the ratepayers having to pay for repairing the roads without deriving any return from the tolls also paid by them, 2579 *et seq.*——The debt is 2,500 *l.*, and the arrears of interest are about 2,000 *l.*; arrangement

Report, 1864—*continued.*

Howman, The Rev. Edward John. (Analysis of his Evidence)—*continued.*

ment by which the bondholders have consented to take 20 per cent. of bonds, and of interest, 2582. 2586–2590. 2604–2606.

Insolvency of the neighbouring trusts, except the Downham and Ely Trust, where the interest has been reduced, and the debt is being gradually paid off, 2596–2603——Expediency of the roads of the Downham and Fencham Trust being repaired by rate, rather than by tolls, even if the latter had produced enough for the purpose, 2620–2624——Fairness of a horse-tax as the means of providing the necessary repairs, 2621, 2622.

I.

Inequality. Inequality of pressure involved in the system of tolls, *Rep.* iii.

Interest on Debt. Total of 160 trusts arranged since 1851; that is, the rate of interest has been reduced, and the arrears extinguished in these cases, *Leslie* 20–23. 43, 44. 64——Nominal amount to which the interest has in some cases been reduced, *ib.* 71——In addition to the mortgage debt of upwards of 4,000,000 *l.*, the unpaid interest in 1860 amounted to 759,983 *l.*, *ib.* 77–79.

IRELAND:

Considerable improvements since 1834 in connexion with the maintenance of roads in Ireland, *Macduff* 503, 504——Admirable system upon which the Irish roads are managed and repaired, *Sir J. Paxton* 2960.

Abolition of tolls in Ireland by the Act 20 and 21 Vict. c. 16, that is in the year 1857, *Kelly* 1302. 1307. 1414, 1415——Extent of the system of tolls and of trusts abolished by the foregoing Act; belief that the debts were charged on the baronies, *ib.* 1308–1315, 1384–1389——Since 1857 the turnpike roads have been managed under the same system already in operation in regard to other roads, under the Act 6 and 7 Will. 4, c. 116, *ib.* 1316, 1317. 1415–1417.

Witness explains in detail the system in Ireland of presentment on application for new roads or for repairs, and the action in the matter respectively of the baronial or cesspayers' sessions, of the grand jury, and of the judge, *Kelly* 1318 *et seq.*——Way in which the presentment or cesspayers' sessions are formed, *ib.* 1323–1328. 1371–1383——Practice as to the contracts for the work, and as to the acceptance of the lowest tender; functions exercised by the grand jury in regard to contracts, *ib.* 1330–1334. 1419–1424. 1435–1438. 1464–1466——Necessity of the final consent of the judge after a presentment for repairs has been approved by the grand jury; right of objection in this stage, *ib.* 1335–1343.

Reference to the entire mileage of roads in Ireland, and the annual cost of repairs, *Kelly* 1348–1351. 1391, 1392.——Good material generally available for repairs, *ib.* 1352, 1353. 1450–1457——The baronial roads are charged exclusively on the baronies, but the mail-coach roads, so called, are charged half on the baronies and half on the county, *ib.* 1354–1358——Understanding as to the satisfaction given in those provinces in which turnpikes existed and have been abolished, *ib.* 1359–1361. 1390. 1460——Slight additional expense on the ratepayers since the abolition, *ib.* 1361, 1362.

System of presentment long previously to the Act of 1834; its unsatisfactory character, *Kelly* 1393–1396—— Practice as to the repair of the bye-roads, and the cost incurred, *ib.* 1405–1414——Particulars as to the expense of repairs of different roads, and as to the system of payment of the contractors, *ib.* 1418–1424. 1428–1438. 1446–1456——Regulations in regard to the width at which the roads are kept in repair; this varies greatly, according to the extent and character of each road, *ib.* 1425–1427. 1438–1445——The maintenance is generally provided for by very numerous and very small contracts, *ib.* 1466——Absence of expense in the Irish system of bringing the matter before the judges and juries, 1473–1476.

See also *County Surveyors (Ireland).*

J.

James, Frank. (Analysis of his Evidence.)—Was clerk to the Highway Board at Pontypridd, under the old South Wales Act, and explains the improvements carried out by the Board, 2985–2988. 3007–3013——Considers that the Highway Board could efficiently and economically manage the turnpikes as well as the highways, 2988, 2986.——There are now two Boards connected with the highways in South Wales, such double machinery being quite unnecessary, 2988, 2989. 3014–3016. 3021–3025.

Opinion as to the hardship of abolishing tolls if the repairs are to be placed upon the parishes; instances of this in Glamorganshire, 2989–3006——Expediency of the roads being thrown upon the extended area of the countries, rather than upon the parishes, 2992. 3017–3019, 3085–3097—— Character respectively of the highways and turnpikes in Glamorganshire, 2996. 3026–3029. 3089——There is no heavy goods or mineral traffic over the turnpikes in the county, 3000–3002. 3041–3043——Liability of the county rate in South Wales in regard to the debt and repairs of the turnpike roads, that

Report, 1864—*continued.*

James, Frank. (Analysis of his Evidence)—*continued.*

is, as supplementary to the tolls, 3018-3020. 3090, 3091——The existing District Board could charge the county with the rate required, 3030–3034.

Injustice in iron mines not being rated for the repairs of the roads, 3036–3038. 3063–3068——Objection also to the exemption of planted timber from rating, 3038. 3063–3068——Expediency of an increased or additional payment, as in France, by those who cut up the roads very much by heavy traffic; suggestions as to the assessment of such payment, independently of the rateable value, 3039, 3040. 3043. 3081——Statement in defence of the proposition for putting the turnpike roads on the county, whilst in the case of highways the common law liability is upon the parishes, 3085–3097.

K.

Kelly, John. (Analysis of his Evidence.)—Is County Surveyor of Roscommon, 1301——Abolition of tolls in Ireland by the Act 20 and 21 Vict. c. 16, that is, in the year 1857; 1302. 1307. 1415——Examination undergone by witness before appointment by Government, 1304. 1478——Duties of witness in connexion with the supervision and maintenance of the roads, and the advising of the Grand Jury as to the acceptance of contracts for repairs, 1305, 1306. 1318 *et seq.*; 1458, 1459. 1461–1466——Extent of the system of tolls and of trusts abolished by the Act which came into operation in 1857; belief that the debts were charged on the baronies, 1308–1315. 1384–1389.

Since 1857 the turnpike-roads have been managed under the same system already in operation in regard to other roads, under the Act 6 & 7 Will. 4, c. 116; 1316, 1317. 1415–1417——Witness explains in detail the system in Ireland of presentment or application for new roads or for repairs, and the action in the matter respectively of the baronial or cesspayers' sessions, of the Grand Jury, and of the Judge, 1318 *et seq.*——Way in which the presentment or cesspayers' sessions are formed, 1323–1328. 1371–1383.

Practice as to the contracts for the work, and as to the acceptance of the lowest tender; functions exercised by the Grand Jury in regard to contracts, 1330–1334. 1419–1424. 1435–1438. 1464–1466——Necessity of the final consent of the Judge after a presentment for repairs has been approved by the Grand Jury; right of objection at this stage, 1335–1343——There are 1,500 miles under witness's charge, 1344. 1405–1408——The salary of witness is 500 *l.* a year, and he has three assistants at 50 *l.* a year each, 1345–1347. 1467–1472.

Reference to the entire mileage of roads in Ireland, and the annual cost of repairs, 1348–1351. 1391, 1392——Good material generally available for repair, 1352, 1353. 1450–1457——The baronial roads are charged exclusively on the baronies, but the mail coach roads, so called, are charged half on the baronies and half on the county, 1354–1358——Understanding as to the satisfaction given in those provinces in which turnpikes existed and have been abolished, 1359–1361. 1390. 1460——Slight additional expense on the ratepayers since the abolition, 1361, 1362.

System of presentment for repairs long previously to the Act of 1834; its unsatisfactory character, 1393–1396——Statement that in Ireland minerals are not rated at all, and that manufactures are only rated upon the value of the buildings, 1399–1404——Practice as to the repair of the bye-roads, and the cost incurred, 1405–1414——Particulars as to the expense of repairs of different roads, and as to the system of payment of the contractors, 1418–1424. 1428–1438. 1446–1456——Regulations in regard to the width at which the roads are kept in repair; this varies greatly according to the extent and character of each road, 1425–1427. 1438*–1445——Absence of expense in the Irish system of bringing the matter before the judges and juries, 1473–1476.

L.

Lambeth. Feeling in Lambeth in regard to the abolition of toll-gates, *Bradfield* 900.

Lancashire. Approval of parish liability in the case of country roads in Lancashire over which there is a heavy traffic from large towns at either end, *Bradfield* 848-860. 865–871.

Circumstance of a large number of townships in Lancashire having adopted the Local Government Act in order to evade the Highway Act, and to avoid being deprived of self-government, *Watkins* 1499–1501. 1522. 1613–1618——Evidence as to the unfairness of throwing upon the parishes the repairs of certain trusts near Bolton, *ib.* 1504. 1519–1521. 1598–1600. 1619–1635——Opinion that if the tolls in Lancashire are abolished, the fairest mode of meeting the repairs would be by a county rate, *ib.* 1519. 1562–1564. 1628–1631——The general feeling in Lancashire is doubtless adverse to the turnpike system, *ib.* 1566–1568.

Great burden upon the ratepayers of Failsworth, and of the other intermediate townships

Lancashire—continued.

ships between Manchester and Oldham, if the toll-gates were removed, and the repairs thrown upon the townships, *Littler* 1932–1940. 2004–2022——Difficulty of forming highway districts, including such townships as Manchester and Oldham, over which the rates should be levied, *ib.* 1943–1951. 2031–2035.

Evidence to the effect that in the Oldham district the fairest system of repairing the roads is by means of toll-gates, and that it would be oppressive and unfair to levy the cost upon the agricultural localities through which the roads run, *Littler* 1974 *et seq.*——The roads about Oldham are in an excellent state of repair, *ib.* 1997——Doubt as to the toll-gates round Oldham being the cause of much real inconvenience, or being much impediment to traffic, *ib.* 2001, 2002. 2025–2030.

See also *Bolton.* *Great Lever Township.* *Manchester and Oldham Trust.*

Laughton Trust (*Sussex*). The Laughton Trust is about eighteen miles in length, the establishment expenses being about 80 *l.* a-year, *Ellman* 2749. 2754——There is no debt on the trust, and the roads are in very good repair, *ib.* 2764, 2765——Explanation as to the continued collection of tolls on the Laughton-road, the trust having been forty years out of debt, *ib.* 2803–2821.

Ledbury (*Hereford*). Feeling in the Ledbury district in favour of the debt being thrown upon the owners, and the repairs upon the occupiers, *Higgins* 1116–1119——Practice as to the rate for the repair of the road in the town of Ledbury, *ib.* 1164–1173.

In the case both of the Ledbury and Bromyard Trusts, it is very desirable that the tolls should be abolished, *Masefield* 2408, 2409——The debt on the Ledbury Trust is about 3,800 *l.*, *ib.* 2410——Several objections to the toll-gate system as in the Ledbury Trust; great expense of the system, whilst it is also an impediment to traffic and locomotion, *ib.* 2419 *et seq.*——Great number of gates in the district around Ledbury and Bromyard, *ib.* 2426–2428. 2540–2546.

Willingness of the farmers and ratepayers in Ledbury, &c. to pay for the repairs of the roads out of the rates, *Masefield* 2429. 2430. 2443–2449. 2453——State of the debt of the Ledbury Trust, as regards gradual repayment in full with interest; interest of witness in the matter, *ib.* 2436–2440. 2476–2487. 2569–2575——The tolls in the Ledbury Trust would in two years pay off the debt; powers under the General Turnpike Act to appropriate them to such payment, *ib.* 2548–2551. 2565.

Lees, John. (Analysis of his Evidence.)—Is surveyor to the Reigate Turnpike Road, 1188, 1189——Explanation relative to a scheme suggested a few years ago by Mr. Alcock for the payment of the debt on the Reigate Trust, and for the maintenance of the road by the parishes; the scheme was favourably received by the trustees, 1190–1212——Opinion that instead of defraying the debt and meeting the repairs by a rate on the parishes through which the road runs, it would be better to levy the charge over the highway district, 1200–1205. 1257–1262.

The debt of the Reigate Trust is about 12,000 *l.* but it is hardly worth 50 per cent., 1206–1209. 1236, 1237——Statement of the expenses of management and of collection of the tolls; saving of these charges, and advantages in other ways, if the control and the maintenance were transferred to the Highway Board, 1213 *et seq.*——Information as the renewal of the Reigate Trust Act, 1232–1235. 1244. 1263–1266.

Approval of the repairs being thrown upon the parishes, notwithstanding that there is at times much pleasure traffic from London over portions of the road; local benefit from such traffic, 1245–1256. 1283–1293. 1297–1299——Feeling of the ratepayers in favour of a removal of the gates, 1251–1254. 1277, 1278. 1285–1289——Very bad state into which the roads were allowed to get when they were for a period placed under charge of the parishes, 1266, 1267. 1279–1282. 1294, 1295.

Leominster Trust. Renewal of the Leominster Trust adverted to; want of means for paying off the debt, *Masefield* 2567, 2568.

Leslie, Francis Seymour. (Analysis of his Evidence.)—Is a senior clerk in the Home Office; has for the last four years had charge of the Department of Turnpike Trusts, 1–5——The mortgage debt in respect of turnpike trusts in England and North Wales was in 1860, 4,688,134*l.*, and in 1837 was 7,011,989 *l.*; explanation hereon as to there being no return completed later than 1860; 6–11. 15–18——Provisions under the Act 3 & 4 Will. 4, c. 80, in regard to annual accounts being transmitted by clerks of trusts to the Home Office, 12–14——Provisions now in force in regard to the renewal of Acts and the continuance or the expiration of trusts, 19, 20. 37–41. 76.

Total of 160 trusts arranged since 1821; that is, the rate of interest has been reduced and the arrears extinguished in these cases, 20–23. 43, 44. 64——On 423 trusts the debt has been partly extinguished, 23. 45–49. 64——Estimate of 4,350,000 *l.* as the amount of the total debt at present, 24–28——Improbability of the reduction of the debt going on at the same rate as hitherto, 29–31. 50–52. 72–74——Total of 1,085 trusts in England and North Wales, of which there are 942 with bonded debts, 32–34. 62–63.

Report, 1864—*continued.*

Leslie, Francis Seymour. (Analysis of his Evidence)—*continued.*

Proposition in the Bill of Lord Romney that the tolls shall no longer be kept up when any road is clear of debt, 41, 42——Restriction under the Act 17 & 18 Vict. in regard to trusts making fresh loans, 55, 56——Explanation as to the reduction of the debt not having always been effected by the payment of 20*s.* in the pound to the mortgagees, 57–61——Few trusts converted into parish roads within the last ten years, 67–69——Very few new trusts created, 68——Nominal amount to which the interest has in some cases been reduced, 71——Obligation upon the parishes to keep up the roads when the trustees cannot do so, 75——In addition to the mortgage debt of upwards of 4,000,000 *l.*, the unpaid interest was in 1860, 759,983 *l.*; 77–79.

Lewis, Right Hon. Sir George Cornewall (the late). Part taken by him in 1843 and 1849 in connexion with the system, since then carried out, in dealing with turnpike trusts, *Wrightson* 3233. 3237. 3335–3337.

Littler, Henry William. (Analysis of his Evidence).—Solicitor at Oldham. Is clerk to the four junction trusts communicating with Oldham, 1843–1845——Statement of the mileage and officers' expenses in the case of each of these trusts; total of fifty-eight miles of road, the expenses of officers being 465 *l.*; 1846–1863. 1870——Very important character of the Manchester and Oldham Trust, the expense of maintenance being in some places 400 *l.* a mile; the surveyor's salary of 200 *l.*, or the establishment expenses generally could not be reduced, 1863, 1864. 1870–1874. 1931–1938. 1941, 1942. 1986–1992. 2003. 2032–2035.

Varying receipts from tolls on the Manchester and Oldham Trust; great falling off since the introduction of railways, 1863–1869——Expense incurred in respect of toll collectors on this trust, 1874–1888. Benefit anticipated if on the expiration of any of the four trusts around Oldham the question of consolidation were duly considered, 1889–1892.

Liquidation of the debt on the Standige and Oldham Trust, the tolls being kept up under the new Act for the repairs of the road, 1893–1894. 1952–1956——Opposition made to the Act of last Session renewing this trust for twenty-one years; enhanced cost of the Act thereby, 1895–1908. 1957–1967——Evidence as to the unfairness and hardship of throwing upon the townships the repairs of this road, 1897–1930. 1939, 1940. 1974–1981.

Great burthern upon the ratepayers of Failsworth and of the other intermediate townships between Manchester and Oldham if the toll gates were removed, and the repairs thrown upon the townships, 1932–1940. 2004–2022——Difficulty of forming highway districts, including such towns as Manchester and Oldham, over which the rates should be levied, 1943–1951. 2031–2035——Dissatisfaction and unfairness involved in the principle of levying the maintenance of the roads upon the county, 1945. 1982–1985. 2000——Reference to the renewal in 1863 of the Oldham and Ripponden Trust Act at a cost of about 700 *l.*; amount of the debt and income in this case, 1968–1972.

Evidence to the effect that in witness's district the fairest system of repairing the roads is by means of toll-gates, and that it would be oppressive and unfair to levy the cost upon the agricultural localities through which the roads run, 1974 *et seq.*——If tolls were abolished the fairest way would be to levy the charge upon the Consolidated Fund, 1975——Absence of fraud in the direct collection of the tolls on the trusts to which witness is clerk, 1993–1996——The roads are in an excellent state, 1997——Large reduction since 1836 in the debt of the Manchester and Oldham Trust, 1998, 1999.

Doubt as to the toll-gates round Oldham being the cause of much real inconvenience, or being much impediment to traffic, 2001, 2002. 2025–2030——Witness does not see any unfairness in the townspeople paying for their own streets or roads, and also the country roads over which their traffic passes, 2004–2006. 2036–2046——Opinion that the country districts are not much, if at all, improved in value by the turnpike roads, although they are by the vicinity of the towns, 2007–2022. 2047–2054.

Local Government Act. Clause in the Local Government Act relative to Boards of Management taking charge of portions of road under arrangement with the trustees; doubt whether many gates have been removed under this clause, *Hon. E. G. D. Pennant* 152–155.

Local Improvement Acts. Obstacle on account of Local Improvement Acts to a system of throwing the repairs on the highway districts, *Hon. E. G. D. Pennant* 3344.

Local Traffic (*Turnpike Roads*). In 1859 witness made a report upon the subject of turnpike trusts; conclusion arrived at that all turnpike roads had ceased to be of a national character, and had become purely local, *Newmarch* 159–164——Local character of turnpike roads adverted to, with reference to the expediency of supporting them by local rates, *Newmarch* 299–303; *Wrightson* 3246——If the traffic on the roads were entirely local it would be fair to throw the expense on the highway rates, *Peach* 1675. 1716, 1717.

Conclusion of the Committee as to the traffic being now chiefly local, and the tolls being generally paid by the ratepayers, *Rep.* iii.

See also *Railways.*

Macduff,

Report, 1864—*continued.*

Macduff, Alexander. (Analysis of his Evidence.)—Has acted as Secretary to the Royal Commission on the subject of roads in Scotland, 355, 356——Greater difficulty in Scotland than in England for the extinction of tolls, no system having been established for the valuation and extinction of the debt of the trusts, 357-363——It was found by the Commissioners that whilst the nominal value of the debt in Scotland was 2,300,000 *l.*, the real value was only about half that amount, 359——In the absence of abolition the Commissioners concluded that much good might be effected by consolidating the trusts, 364.

Very beneficial results of the consolidation effected in Mid-Lothian, 365-373. 442-445. 501, 502. 504——Small amount to which the cost of collection has been reduced in Mid-Lothian, 371-374. 480-490. 512-515——Difficulty experienced in regard to the rating of mines in Scotland in connection with the abolition of tolls; proposal by the Royal Commissioners on this point, 377-380. 387-389. 465-469. 491, 492. 531-536——Several different modes of valuation and assessment of the rates in Scotland, 381-387.

Proposal made by the Commissioners in regard to the rating of towns with respect to the roads; difficulty on this score, 390-398. 476-479——It was proposed in the case of bridge trusts that the bridges should be maintained by the same assessment as the roads, 399, 400——Explanation in connection with the proposal of the Commissioners that the maintenance of the roads should be laid one-half on the owners and one-half on the occupiers, under a system of assessment, 402-406. 493-496. 525, 526. 537-539.

Portion of the debt for which trustees are personally liable, 409——Recommendation by the Commissioners that the debt should be allocated upon the several counties; grounds for this suggestion, 410-412. 417-421——In Scotland the tolls are primarily applicable to the maintenance of the roads, 413-416——Views of the Commissioners in regard to an assessment upon horses; practice in this respect, 423, 424. 451-458——In the case of new roads it was proposed that the promoters should pay half, 425. 546, 547——Proposal by the Commissioners for the establishment of a county road board, 426, 427. 434-441.

Particulars in connection with the proposal for the appointment of a county surveyor, who should, with assistants, have charge of a very large district, 428-433. 497-499. 508-511. 527-533. 542——Excellent state of the roads in Mid-Lothian, &c. under charge of Mr. M'Connell; large area under his supervision, 432, 433. 497. 542——Opposition raised in Scotland to the adoption of a general permissive Bill brought in by the Lord Advocate; some individual counties have, however, obtained permissive Acts, 446-450. 459-464.

Witness is still favourable to a system of assessment, on condition of its being permissive, 473-478——The Highland roads are no longer supported by public grant, but by the counties, 500. 521-524——Considerable improvements since 1834 in connection with the maintenance of the roads in Ireland, 503, 504——In some counties only is there a parochial system of assessment in Scotland as in England, 540, 541——The abolition of tolls would not be an impediment to the making of new roads, if they were really wanted, 544-546.

Maintenance and Repair of Roads. *See* the *Headings generally throughout the Index.*

Manchester and Oldham Trust. Very important character of the Manchester and Oldham trust, the expense of maintenance being in some places 400 *l.* a mile; the surveyor's salary of 200 *l.*, or the establishment expenses generally could not be reduced, *Littler* 1863, 1864. 1870-1874. 1931-1938. 1941, 1942. 1986-1992. 2003. 2032-2035——Varying receipts from tolls on the trust; great falling off since the introdution of railways, *ib.* 1863-1869——Expense incurred in respect of toll collectors on this trust, *ib.* 1874-1888——Large reduction since 1836 in the debt of the trust, *ib.* 1998, 1999——The Manchester and Oldham Act has not been renewed for several years; it has four years to run, *ib.* 2023, 2024.——*See* also *Lancashire.*

Market Lavington Trust (*Wilts*). Information relative to the abolition in 1824 of the Market Lavington trust, the debt having been paid off by voluntary contributions, and the roads having since been maintained by the parishes according to the mileage in each, *Fox* 645 *et seq.*——Very satisfactory operation of the present system of supporting and repairing the Market Lavington Road, *ib.* 657-665. 676-681.

Masefield, George. (Analysis of his Evidence.)—Has for several years been solicitor and clerk to the Ledbury trust, in Herefordshire, 2406, 2407——In the case both of the Ledbury and Bromyard trusts, it is very desirable that the tolls should be abolished, 2408, 2409——The debt on the Ledbury trust is about 3,800 *l.*, 2410——Suggestion that Government might lend for twenty-one years the money for paying off the debts of trusts, chargeable on the rates, 2413, 2414. 2528, 2529——The rate for repairs should be put upon the highway district, each parish paying its proportion, 2414-2418. 2450-2452. 2496. 2511. 2557-2564.

Several objections to the toll-gate system as in the Ledbury trust; great expense of the system, whilst it is also an impediment to traffic and locomotion, 2419 *et seq.*——

Report, 1864—*continued.*

Masefield, George. (Analysis of his Evidence)—*continued.*

Great number of gates in the district around Ledbury and Bromyard, 2426–2428. 2540–2546——Willingness of the farmers and ratepayers in Ledbury, &c., to pay for the repairs of the roads out of the rates, 2429, 2430. 2443–2449. 2453——Advantage if the money for paying off a Government loan were levied by rate on the landlords, the occupiers being rated for the repairs, 2436–2457. 2496–2513. 2552–2564.

State of the debt of the Ledbury trust, as regards its gradual repayment in full with interest; interest of witness in the matter, 2436–2440. 2476–2487. 2569–2575——Very expensive management on the Ledbury, Tenbury, and other trusts, further adverted to, 2461–2475. 2514–2525——Advantage in letting the tolls, rather than in the trustees collecting them, on account of the fraud of collectors, 2488–2495. 2519–2521——Further consideration of the question as to the burden upon particular parishes in carrying out the abolition of tolls, 2496–2511. 2529–2537.

Question whether the tolls might not more fairly be abolished by a rate upon the county than upon the parishes in the highway district, 2517, 2518. 2534–2537——Economy by placing the trusts under the management of the Highway Board, 2538, 2539——The tolls in the Ledbury trust would in two years pay off the debt; power under the General Turnpike Act to appropriate them to such payment, 2548–2551. 2565——Renewal of the Leominster trust adverted to; want of means for paying off the debt, 2567, 2568.

Matlock (*Derby*). Statement as to the oppressive tolls about Matlock, and as to the anxiety of the parishes for their abolition, Sir *J. Paxton* 2892, 2893. 2982–2984.

Merstham (*Surrey*). Statement as to the turnpike-road running through Merstham having been within the past four months thrown to some extent upon the parishes, *Lees* 1295.

Metropolitan Turnpike Roads. Witness has been engaged for several years as agent for promoting the abolition of tolls in the metropolis; is now acting for parties interested in the removal of the tolls on the Surrey side, *Bradfield* 694–697. 711–716. 775–777——Importance of steps being promptly taken by Parliament with reference to the toll-gates on the south side of the Thames; else they will be continued by the Annual Act, *ib.* 698——Expediency of those trusts which are out of debt being excluded from the Continuance Act, and of the repairs being at once thrown upon the parishes, *ib.* 698–700. 734–745——Anomaly in the north side of the Thames being cleared of the toll-gates, whilst they are continued on the south side, *ib.* 698. 701. 791.

Exemption of the Surrey trusts from debt, except that there is a small debt on the Bermondsey trust, *Bradfield* 698, 704——Cause of the removal further back of some of the gates on the Surrey side in 1850, *ib.* 698. 717–726. 770–774——Anticipated opposition by the parishes on the Surrey side to the further removal of the gates, and to their being liable for the repairs; argument that a similar opposition was not allowed to prevail against the Metropolis Road Act, and that it should not now prevent the great and general improvement now contended for, *ib.* 701. 758 *et seq.*

Hardship upon the inhabitants outside the Surrey gates, as compared with those on the town side, *Bradfield* 777——Doubt as to the roads transferred to the parishes in 1850 being in a bad state of repair, *ib.* 801, 802——At present witness proposes to interfere only with those trusts whose Acts have expired or will expire next year, *ib.* 901——Expiration of the Act relative to the roads on the north side through the Bill of last year, coming into operation on 1st July next; large debt formerly on these roads which has been paid off, *ib.* 902–907——Enhanced expense of the Metropolis Roads Bill of 1863 through the opposition of the parishes, *ib.* 908.

Great impediment to the making of new streets and new districts on the Surrey side of the river, through the system of toll-gates, Sir *J. Paxton* 2864.

Statement as to the excellent results consequent upon the consolidation, many years ago, of the trusts in the vicinity of the metropolis, north of the Thames, *Hon. E. G. D. Pennant* 3344. 3439–3442.

See also *Bermondsey Trust. Commercial Road Trust. Finchley Road Trust. Hammersmith. Highgate Trust.*

Mid-Lothian. Very beneficial results of the consolidation in Mid-Lothian, *Macduff* 365–373. 442–445. 501, 502. 504; *Hon. E. G. D. Pennant* 3344——Small amount to which the cost of collection has been reduced in Mid-Lothian, *Macduff* 371–374. 480–490. 512–515——Excellent state of the roads in Mid-Lothian, &c., under the charge of Mr. McConnell; large area under his supervision, *ib.* 432, 433. 497. 542.

Mortgagees. See *Debts of Trusts.*

Multiplicity of Trusts. With regard to the turnpike system generally, one of the main evils is the multiplicity of small trusts in the country, *Hon. E. G. D. Pennant* 3344. 3357. 3412.——*See* also *Consolidation of Trusts.*

N.

Narrow Wheels. Increased use of narrow wheels, to the detriment of the roads, if tolls are removed, *Peach* 1660, 1661. 1718–1720.

New Roads. Apprehended difficulty, in the formation of new roads if turnpike gates were abolished by Parliament, *Hon. E. G. D. Pennant* 133–135——Difficulty in getting roads made by local subscriptions, *ib.* 133——Obstacle anticipated to obtaining the security of the rates as a means of raising money for making new roads, *ib.* 136, 137.

Statement as to the facility of raising money on the security of the rates for the construction of new roads, *Newmarch* 180–183——The abolition of tolls would not be an impediment to the making of new roads, if they were really wanted, *Macduff* 544–546.

New Trusts. Very few new trusts created within the last ten years, *Leslie* 68.

Newmarch, George Frederick. (Analysis of his Evidence.)—Solicitor; is clerk to the Crickley Hill and Campsfield Trust, 157, 158——In 1859, witness made a report upon the subject of turnpike trusts; conclusion arrived at that all turnpike roads had ceased to be of a national character, and had become purely local, 159–164——Evidence in favour of the toll-gates being at once removed in all cases where there is no debt, the repair of the roads being spread over the highway district, 166–168——Statement as to there being now no debt in the case of the Crickley Hill Trust, the tolls, however, being still kept up, and contributions in aid being received from the parishes; arrangement suggested in carrying out the removal of the toll gates, 166–168. 194–220. 249–254. 301–303.

Suggestion that where there is no debt, if the tolls are abolished, the Quarter Sessions should settle the proportions of the rate for the various parishes in the highway district, 169. 221–224. 232–235. 245–273. 297, 298——Unfairness, in abolishing tolls, of throwing the expense of repairs on individual parishes, 169. 221–235. 259. 266——Way in which witness would carry out an abolition of tolls with regard to those trusts that are in debt; recourse to be had to the rates for this purpose, 170–185. 237–240. 299.

Large debt in the case of the Cirencester trust; long period necessary for extinguishing this by means of the rates, 179. 183, 184——Facility of raising money on the security of the rates for the construction of new roads, 180–183——Growing feeling of the public in favour of the tolls being at once abolished, and the repairs being borne by the rates, 184. 186, 187——Great expense of the present system of management of turnpike trusts, and of the collection of tolls; expediency of all this being abolished, 188–193. 241–243. 282–294. 300.

Inequality in highway districts as to the burden of repair thrown upon different parishes; witness does not propose to interfere with this system, but considers that in the case of turnpike roads made toll-free the burden should be assessed by the Quarter Sessions, 221–235. 249–281——Decided approval generally of rates rather than of tolls as a means of maintaining the roads, 236 *et seq.*

Way in which witness's scheme might be carried out without the Highway Act being made compulsory, 244–248——Question as to the provision of compensation for officers connected with trusts if the toll system be abolished and the management be transferred, 267–269——Considerable expense involved in the present management of the Crickley Hill Trust, 282–294——Instance of a gate having been put up between Cirencester and Tetbury, in order to catch the passengers coming to the railway station, 295–296——Local character of turnpike roads further adverted to with reference to the expediency of supporting them by local rates, 299–303.

Non-paying Gates. Check exercised by the Road Committees in regard to paying and non-paying gates being put up on any trust, *Hon. E. G. D. Pennant* 83. 99–101.

Norfolk. Insolvency of certain adjoining trusts in Norfolk; exception in the case of the Downham and Ely Trust, where the interest has been reduced, and the debt is being gradually paid off, *Howman* 2579–2603.

Northleach Highway District. Out of twenty-five parishes in the Northleach Highway District fourteen contribute out of the rates to the various trusts, *Talbot* 531, 532. 593, 594——Change about to be made in the office of the district surveyor; apprehension that the best man will not be selected, *ib.* 634–641.

Number of Gates. Restriction exercised by the committee upon the amount of tolls in a district, but not upon the number of gates, *Hon. E. G. D. Pennant* 132.

O.

Obstruction to Traffic. Slight obstruction to the traffic by gates where people are not stopped to pay, *Hon. E. G. D. Pennant* 102–104——Turnpikes are doubtless an impediment to the traffic, *Watkins* 1567–1569; *Peach* 1662–1664——Impediment and danger to the traffic by the toll-gates, *Gregory* 2265.

Serious impediment caused by toll-gates to intercourse and traffic, *Rep.* iii.

Oldham. See *Lancashire. Manchester and Oldham Trust. Standige and Oldham Trust.*

Oldham and Ripponden Trust Act. Reference to the renewal, in 1863, of the Oldham and Ripponden Trust Act, at a cost of about 700 *l.*; amount of the debt and income in this case, *Littler* 1968–1972.

Owners of Property. Proposition for placing the debts of the trusts on the owners, and the repairs on the occupiers, *Clive* 942 *et seq.* 1018 *et seq.*; *Masefield* 2436–2457. 2469–2513. 2552–2594——Benefits derived from the turnpikes by the property of the country, so that there would be no hardship in the debt being placed upon the owners, *Clive* 1050–1055. 1070; *Higgins* 1086, 1087——Feeling of landowners as to the expediency of a system of rates in lieu of tolls, for repairing the roads, *Sir J. Paxton* 2951–2953.

P.

PARISHES:

Obligation of the parishes to keep up the roads when the trustees cannot do so, *Leslie* 75——Statement in the renewal Acts as to the contribution of the parishes going to supplement any deficiency of receipts for the purpose of keeping the roads in repair, *Hon. E. G. D. Pennant* 96–98——Frequent cases of the parishes being required to contribute towards the repairs, *ib.* 123, 124.

Suggestion that under a parochial assessment, as in the case of the Crickley Hill Trust, the quarter sessions might apportion the rating among the different parishes, *Talbot* 583–587. 595. 615–623. 629–631——Common law liability of the parishes for the repairs of the roads; exceptional cases of hardship should not interfere with this liability being put in force, *Bradfield* 760–763. 808–819. 825–833. 848* *et seq.* 871–878——Expediency of reversing the original liability of parishes not only where trusts are out of debt, but where the debt is gradually being extinguished, that is, by keeping up the gates solely for the extinction of the debt, *ib.* 846–848——Opinion that where the debts of turnpike trusts are got rid of, the repairs should generally be borne by the parishes, *Sir J. Paxton* 2881. 2884, 2885. 2913–2926.

When the debt is got rid of, the road should be thrown upon the parishes according to the common law liability; that is, up to a rate of 2 *s.* 6 *d.* in the pound, any deficiency unprovided for by that amount to fall upon the county, *Wrightson* 3237. 3246. 3259–3270. 3282–3293. 3333, 3334——Exceptional instances of hardships, if the parishes were liable up to a rate of 2 *s.* 6 *d.*, whilst the benefit would be great and general by the abolition of tolls, *ib.* 3237. 3261–3270. 3282–3293——Witness contemplates that in reducing the term of renewal to eleven years, a part of the liability be at once placed on the parishes, whilst at the end of the term the whole liability should fall upon them, *ib.* 3246. 3259. 3260. 3314.

Unfairness, in abolishing tolls, of throwing the expense of repairs on individual parishes, *Newmarch* 169. 221–235. 259. 266——Inequality in the event of the repairs being thrown upon the parishes, *Clive* 3217.

Injustice in throwing upon the parishes through which turnpike-roads run in communication with large towns, the repairs of those roads, *Hon. E. G. D. Pennant* 3344. 3404. 3432, 3433——Exception taken to the scheme bringing in the common law liability of the parishes up to a maximum of 2 *s.* 6 *d.* in the pound, *ib.* 3344. 3404——Grounds for concluding that in the case of trusts without debt, now under the Continuance Act, it would not be fair at once compulsorily to remove the power of taking tolls, and to place the repairs on the parishes, *ib.* 3382–3392.

Approval of parishes or districts supporting the turnpike-roads by rates or by tolls as they themselves may choose; way in which this plan may be carried out by communication with the Home Office, *Hon. E. G. D. Pennant*, 3383–3399. 3444, 3445.

See also the Headings generally throughout the Index.

Paxton, Sir Joseph (Member of the House). (Analysis of his Evidence.)—Great impediment to the making of new streets and new districts on the Surrey side of the river by the system of toll-gates, 2864——Complaint more especially as to the Dulwich turnpike, and as to the obstructive and unwise action of the Dulwich College Trustees in retaining the toll-gate, 2864–2866. 2927–2930——Impediment to building on account of the turnpike, 2864. 2886–2891.

Report, 1864—*continued.*

Paxton, Sir Joseph (Member of the House). (Analysis of his Evidence)—*continued.*

With regard to the turnpike-roads in Derbyshire, there is very little mineral traffic upon them, 2867. 2877-2879——Use of the roads near Chesterfield by Mr. Barker's colliery, whilst it escapes the toll-gates, 2868-2874——Benefit to Chesterfield in the coals being carried thither by railway, 2874——Very little pleasure traffic on the roads at Chesterfield; the traffic is, in fact, almost entirely local, 2875, 2876. 2880.

Opinion that where the debts of turnpike trusts are got rid of, the repairs should generally be borne by the parishes, 2881. 2884, 2885. 2913-2926——Proposition that trusts with debts should be classified under three schedules, and that the debts being properly valued should be paid off by a county rate spread over a term of years, 2882, 2883——Evil of the system of letting tolls to large contractors, 2882. 2931——Expediency of the districts being so arranged as to be within good local supervision, 2884, 2978, 2979——Statement as to the oppressive tolls about Matlock, and as to the anxiety of the parishes for their abolition, 2892, 2893. 2982-2984.

Information relative to the road in Derbyshire in respect of which a debt of 100,000 *l*, was given up by the Dukes of Devonshire, Norfolk, and Rutland; great advantage of the road to their several properties, 2894-2897——Unfairness in mineral property generally, as well as coals, not being rated for the repairs of roads over which such minerals pass, 2898-2912——Opinion that the Legislature should enforce the immediate removal of all toll-gates, and should compel the counties to value and to liquidate the debts, 2932-2950. 2961-2965——Distinctive treatment proposed in the case of large towns and of small towns, 2937-2939.

Feeling of landowners as to the expediency of a system of rates in lieu of tolls for repairing the roads, 2951-2953——Change of opinion among the farmers in regard to their being rated for the roads; illustration of this in Oxfordshire, 2955, 2956. 2975——Popularity in Derbyshire of an abolition of tolls on witness's system, 2957——Belief that railway companies would not ultimately suffer if liable for repairs as ratepayers, in the events of the gates being abolished, 2958, 2959——Admirable system upon which the Irish roads are managed and repaired, 2960.

Any exceptional cases of inequality or hardship should not prevent the adoption of a comprehensive scheme, as proposed by witness, 2961-2965——Bar to the improvement of property, and to an increase in the rateable value of parishes by the operation of toll-gates, 2966-2971——The case of the Holyhead road would be an exceptional one as regards the compulsory payment of the debt out of the county rates, 2972-2974——Reference to the adoption in South Wales of the principle of charging the debt upon the county rate, 2980, 2981.

Peach, The Rev. William. (Analysis of his Evidence.)—Resides near Chesterfield; acts as trustee on two or three roads, 1640-1643——Evidence to the effect that the traffic over the turnpikes in North Derbyshire is pleasure traffic or mineral traffic, and that it would not therefore be fair to impose the repairs upon the local ratepayers, 1644 *et seq.*——Very extensive mileage of turnpike roads in some of the parishes of North Derbyshire in proportion to the limited rateable value, 1644, 1645. 1655——Particulars relative to the coal and other mineral traffic, and objection on this score to throwing the repairs upon the rates, 1645 *et seq.*

Calculation that in Brampton parish the highway rate would be 2 *s.* in the pound if the turnpike roads were thrown upon the parish; cost of these roads per mile, 1645, 1668, 1669, 1759——Large proportion of the traffic in Brampton parish which is through traffic, and is of no local benefit, 1645-1648——Diminished expense of management by consolidating small trusts, 1656, 1657. 1737-1739——Application now being made to Parliament to abandon twelve miles out of the fifty-seven miles of the trusts represented by witness, 1657-1659——Increased use of narrow wheels, to the detriment of the roads if the tolls are removed, 1660, 1661. 1718-1720——The gates are doubtless an impediment to traffic, 1662-1664.

Opinion in witness's district that it would be a gross injustice to throw the repairs on the parishes, 1665, 1732——Amount of the tolls and of the debt of the trust running through Brampton parish; gradual repayment of the latter, 1666-1673——If the traffic on the roads were entirely local, it would be fair to throw the expense on the highway rates, 1675. 1716, 1717——Statement as to the trust in Brampton parish having been before Parliament this Session, and as to its being provided that as soon as the debt is paid off the trust shall cease, 1682-1694——A portion of the trust was originally repairable by the parish, 1695-1700.

The official expenses of witness's trust are 130 *l.* a year for fifty-seven miles, 1725, 1726. 1731——Advantage in the trustees letting the tolls instead of collecting them directly, 1727-1730——Objection to the repairs being thrown upon the county; apprehension that the administration and supervision would not be efficient, 1732-1735. 1740-1743——Feeling in the towns, but not in the rural parishes, in favour of the removal of toll-gates, 1744-1747——Reference to the toll-free use, by the country parishes, of the roads or streets in Chesterfield, whilst the Chesterfield people have to pay for using the turnpikes leading into the country, 1748-1758.

Report, 1864—*continued.*

Pembrokeshire. Witness is thoroughly conversant with the South Wales system of turnpike roads, and considers, more especially as regards Pembrokeshire, that the consolidation of the trusts there has worked exceedingly well, and has given general satisfaction, *Scourfield* 1760 *et seq.*——Arrangement in regard to the repayment of the Goverment loan incurred for liquidating the debts of the trusts in Pembrokeshire; circumstance of this arrangement involving the principle of the liability of the county rate, *ib.* 1763. 1772–1774. 1839–1842——Whilst in Pembroke the former system of toll-bars was most irregular and unequal, the bars must now be at least seven miles apart, and the inequality and individual hardship are comparatively trifling, *ib.* 1761. 1764. 1794–1801. 1839–1842——There are eighty-five miles of road in witness's district, which are in excellent order, *ib.* 1768–1770. 1790. 1829, 1830——Practice of letting the tolls in the county, *ib.* 1827–1829. 1832, 1833.

Statement of the proceedings at the general annual meeting of the members of the county roads board, held in January, 1864, *App.* 142——Particulars of receipt and expenditure on account of the turnpike roads in the county for the year 1863, *ib.* 143——Estimate of receipts and expenditure for 1864, *ib.* 144.

Pennant, Colonel The Hon. Edward Gordon Douglas (Member of the Committee.) Analysis of his Evidence.)—As Chairman for many years of one of the Committees before which Road Bills have been brought, witness explains the general principles pursued by the Committees in dealing with Bills relating to turnpike trusts, 80 *et seq.*——Means of the Committees for inquiring into the debt in each case, and getting at the actual value of the bonds, 80–83——Data by which the Committees are guided in effecting compromises as between the mortgager, the parishes, and the public, 83. 85——Check exercised by the Committees in regard to paying and non-paying gates being put up, 83. 99–101——Increased number of trusts coming before the Committees and effect thereof as regards the liquidation of the debt, 83, 84.

Frequent instances of Committees making the duration of the Act depend on the liquidation of the debt, 85, 86——Instances where the object of the renewal of the Bill is simply the extinction of the debt without interest, 87, 88——Practice of the Home Office to put the trusts into the continuance Act, where the debt has been extinguished, 89, 90——Provision in the Wisbeach clause as to the bonds being paid off to the lowest bidder, 90. 122. 131——Calculation that the debt is usually paid off at about three-fourths of its nominal value; illustration on this point, 90–92. 95. 105–110——The operations of the Committees have not tended to decrease the market value of the bonds, 92.

Statement in the renewed Acts as to the contribution of the parishes going to supplement any deficiency of receipts for the purpose of keeping the roads in repair, 96–98——Slight obstruction to the traffic by gates where people are not stopped to pay, 102–104——Cases of mortgagees getting hardly anything upon their debt, 105, 106——Instances of very large nominal debts being extinguished through the operation of the Committees of the House, 111–113.

Opinion that the Home Office has not been judicious in the selection of the trusts which it has brought before Parliament upon expiration of the Acts; suggestions hereon, 113–116——Exceptions from the usual practice of Committees as to the term which is allowed by each Act for the liquidation of the debt, 117–120——In England, the tolls are generally the only security possessed by the mortgagees, 121——Frequent cases of the parishes being required to contribute towards the repairs, 123, 124——Regulations under the renewal Acts, not only as to the rate of interest to bond-holders, but as to expenses, repairs, &c., 125–130.

Restriction exercised by the Committee upon the amount of tolls in a district, but not upon the number of gates, 132——Apprehended difficulty in the formation of new roads if turnpike gates were abolished by Parliament, 133–135——Obstacle anticipated in obtaining the security of the rates as a means of raising money for making new roads, 136, 137——Witness is not acquainted with the highway system in Glamorganshire and South Wales for maintaining the roads, 138–142——Doubt also as to the system in Ireland for making new roads, 143–145.

Necessity of the sanction of the Secretary of State before the trustees can borrow money, 146——Doubt whether benefit would result if the trustees could raise loans in order to carry out the Wisbeach system, 147–151——Approval of the trustees being prevented from borrowing, 150——Clause in the Local Government Act relative to boards of management taking charge of portions of road under arrangement with the trustees; doubt whether many gates have been removed under this clause, 152–155.

[Second Examination.]—Statement as to the debt of the Croydon and Reigate Trust when the trust was renewed in 1850, and as to the large reduction effected by 1860; 1300——Renewal in 1852 of the Sutton and Reigate Trust, in which case there was a reduction of 1,365 *l.* between 1850 and 1860 *ib.*

[Third Examination.]—With regard to the turnpike system generally one of the main evils is the multiplicty of small trusts in the country, 3344. 3357. 3412——Another evil is the operation of gates in the immediate vicinity of populous towns, 3344——Witness submits

Report, 1864—*continued.*

Pennant, Colonel, The Hon. Edward Gordon Douglas—continued.

submits that these evils may largely be obviated by an extended system of consolidation of trusts; statement hereon of the excellent results already derived from consolidation in South Wales, Mid-Lothian, in the vicinity of London, and in Carnarvon, 3344. 3357, 3358. 3372. 3405-3428. 3439-3442.

Greater fairness of the system of making those who use the roads pay for them than of a system of rating which, as at present, would exempt many classes from contribution, 3344. 3411-3414——Injustice in throwing upon the parishes through which turnpike roads run in communication with large towns, the repairs of those roads, 3344. 3404. 3432, 3433——Public utility of turnpike roads leading to railway stations: many of these roads, in fact, are used not merely for local traffic, 3344. 3452-3455——Exception taken to the scheme bringing in the common law liability of the parishes up to a maximum of 2*s.* 6*d.* in the pound, 3344. 3404——Obstacles to placing the repairs upon the highway districts, or the management under the highway boards, 3344. 3373-3381. 3451.

Opinion that the most feasible plan (if the present system be altered) would be to give a permissive power to counties to levy an assessment for the liquidation of the debts of the trusts within the county, or to carry out a consolidation of the trusts, 3344 *et seq.* ——Satisfactory operation in Scotland of the system of permissive power in the county, 3344. 3359——Great opposition apprehended if a compulsory county rate were sought to be enforced generally, 3344.

Advantage of consolidation in the case of gates near railway stations not adjacent to large towns, 3347-3357——When the debts are liquidated, and consolidation effected, the repairs should be paid for out of the county rate; greater fairness thereof than of a parish or district rate, 3359, 3360. 3375-3381. 3432-3436. 3446-3451——Conditions under which the counties and the mortgagees might arrange as to liquidation, 3361-3366. 3371. 3400-3403——Expediency of the Home Office looking more to the consolidation of the trusts, 3367-3372——Objection to the poor law union boundaries as the districts for the management of the roads, 3373, 3374.

Grounds for concluding that in the case of trusts without debt, now under the Continuance Act, it would not be fair at once compulsorily to remove the power of taking tolls, and to place the repairs on the parishes, 3382-3392——Approval of parishes or districts supporting the turnpike roads by rates or by tolls, as they themselves may choose: way in which this plan may be carried out by communication with the Home Office, 3383-3399. 3444, 3445——Advantage in the Home Office leaving trusts out of the Continuance Act, rather than in trustees being enabled at once to discontinue the trusts, when out of debt, 3429-3431——Inequality and expense to be got rid of by placing the roads upon the counties, 3432-3438.

Planted Timber. Objection to the exemption of planted timber from rating for the repairs of the roads, *James* 3038. 3063-3068.

Pontypridd Highway Board. Witness was Clerk to the Highway Board at Pontypridd, under the old South Wales Act, and explains the improvement carried out by the Board, *James* 2985-2988. 3007-3013.

Poor Law Union Boundaries. Objection to the poor law union boundaries as the districts for the management of the roads, *Hon. E. G. D. Pennant* 3373, 3374.

R.

Railways. Effect of new railways in leading to decreased traffic and decreased tolls in the care of the trusts near Bolton, *Watkins* 1507-1514. 1626, 1627——Effect of railways in the county of Pembroke upon the character and amount of the traffic over the turnpike roads, *Scourfield* 1811-1813. 1834-1838——Belief that railway companies would not ultimately suffer if liable for repairs as ratepayers in the events of the gates being abolished, *Sir J. Paxton* 2958, 2959——Local character of the traffic on turnpikes since the introduction of railways, *Wrightson* 3246, *Rep.* iii.——Public utility of turnpike roads leading to railway stations; many of these roads are largely used for traffic other than local, *Hon. E. G. D. Pennant* 3344. 3452-3455.

Rates. Increasing feeling of the public in favour of the repairs of the roads falling upon the rates, *Newmarch* 184. 186, 187——Decided approval generally of rates rather than of tolls as a means of maintaining the roads, *ib.* 236 *et seq.*——The argument in favour of tolls versus rates is now much less strong than it was in 1844, *Rickards* 340-346——Advantage in the roads being looked after by the ratepayers as having a direct interest in the matter, that is, through the instrumentality of the waywarden rather than of the surveyor, *Higgine* 1132-1144. 1174-1186.

When the debt of the consolidated trusts in Pembrokeshire is paid off witness would still prefer the continuance of toll-gates, as at present, rather than that the repairs should

Report, 1864—*continued.*

Rates—continued.

be thrown upon the parishes or the county, *Scourfield* 1775–1777. 1792. 1793. 1798. 1839–1842——Greater fairness of the system of making those who use the roads pay for them than of a system of rating which, as at present, would exempt many classes from contribution, *Hon. E. G. D. Pennant* 3344. 3411–3414.

Conclusion of the Committee as to the tolls being generally paid by the ratepayers, *Rep.* iii.——Inference as to the expediency of the ratepayers contributing to a rate for the road, in those cases where they are the principal tollpayers, *ib*——Unequal and unjust incidence of a rate upon each parish, so that a more extended area of rating is desirable, *ib.* iv.

See also *the Headings generally throughout the Index.*

Rating of Mines. Hardship if mines were not rated in the event of the roads being maintained by rates, *Rickards* 330–336——Difficulty experienced in regard to the rating of mines in Scotland in connection with the abolition of tolls; proposal by the Royal Commission on this point, *Macduff* 377–380. 387–389. 465–469. 491. 492. 531–536——Statement that in Ireland minerals are not rated at all, and that manufactures are only rated upon the value of the buildings, *Kelly* 1399–1404——Expediency of mines being rated in the same way as quarries, *Wrightson*, 2271–2273——Unfairness in mineral property generally, as well as coals, not being rated for the repair of roads over which such minerals pass, *Sir J. Paxton* 2898–2912——Injustice in iron mines not being rated for the repairs of the roads, *James* 3036–3038. 3063–3068.

Reigate Trust. See *Sutton and Reigate Trust.*

Renewal of Acts. Provisions now in force in regard to the renewal of Acts and the continuance or the expiration of the trusts, *Leslie* 19, 20. 37–41. 76.

Frequent instances of Committees making the duration of the Act depend on the liquidation of the debt, *Hon. E. G. D. Pennant* 85, 86——Instances where the object of the renewal of the Bill is simply the extinction of the debt without interest, *ib.* 87, 88—— Opinion that the Home Office has not been judicious in the selection of the trusts which it has brought before Parliament, upon expiration of the Acts; suggestions hereon, *ib.* 113–116——Exceptions from the usual practice of Committees as to the term which is allowed by each Act for the liquidation of the debt, *ib.* 117–120——Regulations under the renewal Acts not only as to the rate of interest to bondholders, but as to expenses, repairs, &c., *ib.* 125–130.

When the Act for any trust expires, the trust should come before a Committee at an early period of the Session, instead of being put into the Continuance Act by the Home Secretary, *Bradfield* 820–824. 872, 873——Witness has always considered that the modern system of renewal of trusts was a renewal once for all, with a view to the termination of tolls at the end of the period; approval thereof, *Gregory* 2295. 2329. 2335–2338.

Suggestion that instead of the practice of renewal of trusts for a term of 21 years, the term should in future be fixed at 11 years, save in special cases, *Wrightson* 3237. 3246. 3259——Immense aggregate expenditure in the renewal of trusts, *ib.* 3241–3246

Suggestion by the Committee with a view to certain trusts being obliged to come to Parliament for a renewal of their Acts, instead of being included in the Continuance Act, *Rep.* iv.

See also *Committees on Road Bills. Continuance Act.*

Repairs of Roads. See the *Headings generally throughout the Index.*

Rickards, G. K. (Analysis of his Evidence.)—Was secretary to the first commission, and was a member of the second commission appointed with reference to the South Wales trusts, 304–306——Way in which a valuation and commutation of the debts of the trusts were settled by the second commission, 307–312——Total of 225,000 *l.* advanced by Parliament for settling the debts; this was about 10,000 *l.* more than was required, 308, 309. 313–315——Conditions as to the repayment of the Government loan, with interest, 315. 353, 354——Arrangement by which any deficiency in the tolls was to be thrown upon the county rates, 316, 317. 347–350.

Provisions in the Act of 1844, for carrying out the new arrangements in South Wales, that there shall be an interval of seven miles between the toll-gates, 318, 319——The tolls are now more than sufficient to meet the repairs, 321, 322——Multiplication of independent trusts adverted to as the chief cause of the disturbances in South Wales; beneficial operation in this respect of the system of consolidation, &c., effected by the commission of which witness was a member, 323–329. 337–339. 351, 352——Hardship if mines were not rated in the event of the roads being maintained by rates, 330–336 The argument in favour of tolls *versus* rates is now much less strong than it was in 1844, 340–346.

Road Committees. See *Committees on Road Bills.*

Robson,

Report, 1864—*continued.*

Robson, George. (Analysis of his Evidence.)—Mayor of Durham; represents that much grievance arises from the toll-gates on all the roads leading into Durham on account of the impediment thereby to persons entering the town, 2632 *et seq.*——Instance in the case of the Shincliffe-road of the oppressive operation of the toll-gate system, 2637, 2638. 2644–2646. 2696——Origin under the Durham Paving Act of the six gates at the six entrances to the town; misappropriation of the money received from the tolls or the debt would have expired long ago, 2651–2657. 2710–2712——Debt of 6,300 *l.* now remaining in respect of the town-gates, which will be paid off in twelve or fourteen years, 2655. 2657. 2678–2682. 2714–2716.

Advantage if the turnpike roads leading into Durham were repaired out of a county rate; difficulty in cases where the trusts are in debt, 2666–2677. 2698–2705. 2727–2740——Advantage also if the tolls on the town roads were abolished, and if the debt and the repairs were defrayed out of the rates, 2673–2677. 2710–2718. 2724–2726——Local character of the traffic on the Durham and Shotley Bridge turnpike road, 2684–2688.

Statement as to there being four turnkpike gates near Durham where the toll is oppressive; there are also the six town gates, but the toll on these is much less, 2689–2697. 2707–2709——Explanation as to the town council collecting their tolls instead of letting them; limited expense incurred, 2719–2723. 2741–2743——Heavy debts on some of the trusts, whilst on others the debt is but small; the tolls should be abolished in all cases, 2698–2705. 2727–2733.

Romney, Lord. Proposition in the Bill of Lord Romney that the tolls shall no longer be kept up when the road is clear of debt, *Leslie* 41, 42——Doubt whether the proposal in Lord Romney's Bill as to the mode of throwing upon the parishes the repairs of all trusts out of debt would be acceptable, *Wrightson* 3278; *Hon. E. G. D. Pennant* 3429.

Rural Districts. Great injury to small rural towns through the turnpike system, *Higgins* 1096, 1097——Objections to a system of highway districts over which to levy the expenses of repairs in agricultural parishes, *Ferrand* 2142–2146. 2179–2188—— Large proportionate cost of collection in rural districts, *Gregory* 2296–2298——Change of opinion among the farmers in regard to their being rated for the roads; illustration of this in Oxfordshire, *Sir J. Paxton* 2955, 2956. 2975.

See also *Bingley Parish* (*York*). *Brampton Parish* (*Derby*). *Lancashire.*

S.

Scotland. Greater difficulty in Scotland than in England for the extinction of tolls, no system having been established for the valuation and extinction of the debt of the trusts, *Macduff* 357–363——It was found by the Royal Commissioners that whilst the nominal value of the debt in Scotland was 2,300,000 *l.*, the real value was about half that amount, *ib.* 359——In the absence of abolition the Commissioners concluded that much good might be effected by consolidating the trusts, *ib.* 364——Several different modes of valuation and assessment of the rates in Scotland, *ib.* 381–387——Proposal made by the Commissioners in regard to the rating of towns with respect to the roads; difficulty on this score, *ib.* 390–398. 476–479.

Explanation in connection with the proposal of the Commissioners that the maintenance of the roads should be laid one-half on the owners and one-half on the occupiers, under a system of assessment, *Macduff* 402–406. 493–496. 525, 526. 537–539——Portion of the debt for which the trustees are personally liable, *ib.* 409——Recommendation by the Commissioners that the debt should be allocated upon the several counties; grounds for this suggestion, *ib.* 410–412. 417–421——In Scotland the tolls are primarily applicable to the maintenance of the roads, *ib.* 413–416.

Views of the Commissioners in regard to the assessment upon horses; practice in this respect, *Macduff* 423, 424. 451–458——In the case of new roads it was proposed that the promoters should pay half, *ib.* 425, 546. 547——Proposal by the Commissioners for the establishment of a county rate Board, *ib.* 426, 427, 434–441——Particulars in connection with the proposal for the appointment of a county surveyor who should, with assistants, have charge of a very large district, *ib.* 428–433. 497–499. 508–511, 527–533. 542.

Opposition raised in Scotland to the adoption of a general permissive Bill brought in by the Lord Advocate; some individual counties have, however, obtained permissive Acts, *Macduff* 446–450. 459–464——Witness is still favourable to a system of assessment, on condition of its being permissive, *ib.* 473–478——In some counties only is there a parochial system of assessment in Scotland as in England, *ib.* 540. 541.

Reference by the Committee to the material diminution of expense consequent upon the system in Scotland, and to the prospective reduction on the number and amount of tolls, *Rep.* iii.

Report, 1864—*continued.*

Scourfield, John Henry (Member of the House). (Analysis of his Evidence.)—Is thoroughly conversant with the South Wales system of turnpike roads, and considers, more especially as regards Pembrokeshire, that the consolidation of the trusts there has worked exceedingly well, and has given general satisfaction, 1760 *et seq.*——Whilst in Pembroke the former system of toll bars was most irregular and unequal, the bars must now be at least seven miles apart, and the inequality and individual hardship are comparatively trifling, 1761. 1764. 1794-1801. 1839–1842.

Arrangement in regard to the repayment of the Government Loan borrowed for liquidating the debts of the trusts in Pembrokeshire; circumstance of this arrangement involving the principle of the liability of the county rate, 1763. 1772–1774. 1791. 1839–1842——There are eighty-five miles of road in witness's district, which are in excellent order, 1768-1770. 1790. 1829, 1830——When the debt of the Consolidated Trusts is paid off, witness would still prefer the continuance of toll-gates, as at present, rather than that the repairs should be thrown upon the parishes or the county, 1775–1777. 1792, 1793. 1798. 1839-1842——Amount of the establishment expenses for managing the roads in witness's district, 1778–1789.

The highway system works well in Pembrokeshire, but witness submits that there are several objections to including the turnpike roads under such system, 1802–1810. 1814–1826——Effect of railways in the county upon the character and amount of the traffic over the turnpike roads, 1811–1813. 1834–1838——Practice of letting the tolls in the county, 1827–1829. 1832, 1833.

South Wales. Way in which a valuation and commutation of the debts of the trusts were settled by the second Commission appointed with reference to the South Wales Trusts, *Rickards* 307–312——Total of 225,000 *l.* advanced by Parliament for settling the debts; there was about 10,000 *l.* more than was required, *ib.* 308, 309. 313–315——Conditions as to the repayment of the Government Loan, with interest, *ib.* 315. 353, 354——Arrangement by which any deficiency in the tolls was to be thrown upon the county rates, *ib.* 316, 317. 347–350.

Provision in the Act of 1844 for carrying out the new arrangements in South Wales, whereby there shall be an interval of seven miles between the toll-gates, *Rickards* 318, 319——The tolls are now more than sufficient to meet the repairs, *ib.* 321, 322——Multiplication of independent trusts adverted to as the chief cause of the disturbances in South Wales; beneficial operation in this respect of the system of consolidation, &c., effected by the Commission of which witness was a member, *ib.* 323–329. 337–339. 351, 352.

There are now two Boards connected with the highways in South Wales, such double machinery being quite unnecessary, *James* 2988, 2989. 3014–3016. 3021–3025——Witness considers that the Highway Board could efficiently and economically manage the turnpikes as well as the highways, *ib.* 2988, 2989——Liability of the county rate in South Wales in regard to the debt and repairs of the turnpike roads, that is, as supplementary to the tolls, *ib.* 3018–3020. 3090, 3091——The existing district Board could charge the county with the rate required, *ib.* 3030–3034——Beneficial effects of the consolidation of trusts, *Hon. E. G. D. Pennant* 3344.

Reference by the Committee to the great improvement consequent upon the consolidation, &c. in South Wales, *Rep.* iii.

See also *Pembrokeshire.*

Standige and Oldham Trust. Liquidation of the debt on the Standige and Oldham Trust, the tolls being kept under the new Act for the repairs of the road, *Littler* 1893, 1894. 1952–1856——Opposition made to the Act of last Session, renewing this trust for twenty-one years; enhanced cost of the Act thereby, *ib.* 1895–1908. 1957–1967——Evidence as to the unfairness and hardship of throwing upon the townships the repairs of the road, *ib.* 1897–1930. 1939, 1940. 1974–1981.

Surrey (*South side of the Thames.*) See *Metropolitan Turnpike Roads.*

Surrey and Sussex Trust. Statement relative to the case of the Surrey and Sussex Trust, and the circumstances under which renewed in 1850; the trust is now entirely out of debt, and witness contends that the toll gates should be removed within the Metropolitan area, *Bradfield* 698. 717–730. 735–745. 769 *et seq.*——Opinion that instead of being dealt with by Continuence Acts the Surrey and Sussex Trust should be compelled to go before a Parliamentary Committee, *ib.* 778–780. 896–900——Considerable opposition by the parishes to the course taken by the Committee of 1850 with reference to the Surrey and Sussex roads, *ib.* 781–790. 797–800.

Surveyors of Roads. Very satisfactory management by one surveyor of a large mileage of road in Mid-Lothian, *Macduff* 432, 433. 497–542——Obstacle to one surveyor managing efficiently a large extent of road in Lancashire, *Watkins* 1590–1596. 1601–1607——Feeling in East Sussex as to the unduly large size of the districts, and the difficulty of getting parish surveyors to keep the roads in a proper state, *Ellman* 2853–2855. 2860–2863——Expediency of the districts being so arranged as to be within good local supervision by the surveyor, *Sir J. Paxton* 2884, 2978, 2979.

Report, 1864—*continued.*

Sussex. Very oppressive character of the tolls in the neighbourhood of Hawkhurst, Battle, and Ticehurst, *Gregory* 2253 *et seq.*——Statement that witness can go to Hastings more cheaply by railway than by driving there, *ib.* 2254–2256——Instance of a catch gate having been put up after the introduction of the railway, *ib.* 2263, 2264——Feeling in the parishes in witness's district in favour of the abolition of tolls, *ib.* 2266. 2353–2355——Heavy tolls in witness's district adverted to with reference to the large outlay in improving and repairing the roads, *ib.* 2299–2304. 2314. 2315. 2321–2328——Attention paid to the turnpike roads by the trustees; constitution of these bodies adverted to hereon, *ib.* 2345–2352.

Statement of the mileage of five different trusts in the neighbourhood of Hastings, &c., and of the expense of management in each case, *Ellman* 2747–2751. 2861–2863——The management is, on the whole, economical, *ib.* 2752–2754——Practice as to the repairs of these five trusts; three of the roads are more or less repaired by the parishes, *ib.* 2755–2767——Suggestion whether the debt and the repairs of these trusts should not be paid by local or county rates, with a view to the abolition of the tolls, *ib.* 2768–2776. 2775–2786. 2822–2829. 2856–2860.

Increased receipts from the gates near Hastings and St. Leonards; advantage of the roads in regard to the increase of these towns, and the value of the land there, *Ellman* 2772–2776——Fairness in Hastings and St. Leonard's, as being benefited by the roads, being rated for their maintenance, *ib.* 2775–2783——Consideration of complaints by Mr. Gregory as to the numerous tolls paid by him; this is owing to the multiplicity of the trusts, *ib.* 2788–2802——Amount of the debts remaining on the several trusts running into the neighbourhood of Hastings, *ib.* 2844.

See also *Flinwell and Hastings Trust.*

Sutton and Reigate Trust. The debt of the Sutton and Reigate Trust is about 12,000 *l.*, but it is hardly worth 50 per cent., *Lees* 1206–1209. 1236, 1237——About 500 *l.* has been paid off at rates varying from 20 to 62 per cent., *ib.* 1207. 1236, 1237——The road is thirty miles long, and there are seven gates, *ib.* 1213——Statement of the expenses of management and collection of the tolls; saving of these charges, and advantage in other ways, if the control and the maintenance were transferred to the Highway Board, *ib.* 1213 *et seq.*

Information as to the renewal of the Reigate Trust Act, *Lees* 1232–1235. 1244. 1263–1266——Approval of the repairs being thrown upon the parishes, notwithstanding that there is at times much pleasure traffic from London over portions of the road; local benefit from such traffic, *ib.* 1245–1256. 1283–1293. 1297–1299——Feeling of the ratepayers in favour of a removal of the gates, *ib.* 1251–1254. 1277, 1278. 1285–1289——Very bad state in which the roads were allowed to get when they were for a period placed under the charge of the parishes, *ib.* 1267. 1279–1282. 1294, 1295.

Renewal in 1852 of the Sutton and Reigate Trust, in which case there was a reduction of 1,365 *l.* between 1850 and 1860, *Hon. E. G. D. Pennant* 1300.

See also *Alcock, Mr.*

T.

Talbot, Hon. and Rev. Gustavus. (Analysis of his Evidence.)—Is Chairman of the Northleach Highway District, 550——Out of twenty-five parishes in this district fourteen contribute out of the rates to the various trusts, 551, 552. 593, 594——Important economy of staff, &c., if the turnpike trusts in the county were put under the management of the Highway Board, 553—555——Purely local character of the traffic on the Crickley Hill Trust at Northleach, 556–558.

There is no debt on this trust, the road being maintained partly by tolls and partly by the parishes; explanation hereon as to steps not having been taken to remove the toll-gates, 561, 562. 571–582. 584. 587. 589, 590. 605–607. 624–627——If there were a debt on the trust witness would prefer to pay it off by raising money on the rates, and would abolish the gates altogether, 563–565——Much greater cost of maintaining this road than the roads under the Highway Act, 565–570. 588. 591–596. 598–603. 608–614.

Suggestion that under a parochial assessment, as in the case of the Crickley Hill Trust the Quarter Sessions might apportion the rating among the different parishes, 583. 587. 595. 615–623. 629–631——Less difficulty of a rate if it were assessed upon the highway district or the county, 597. 615–617——Hardship of the case of Aldsworth parish in Northleach highway district, 628. 633——Change about to be made in the office of the district surveyor: apprehension that the best man will not be selected, 634–641.

Teignmouth (*Devonshire*). Grievance of the toll-gates near Teignmouth, the repairs of the roads as well as of the tolls falling upon the ratepayers, *Wrey* 3101. 313.

Report, 1864—*continued.*

Tenbury Trust (*Hereford*). Very heavy expense of management in the case of the Tenbury trust, *Masefield* 2464-2467.

Toll Contractors. Evil of the system in letting tolls to large contractors, *Sir J. Paxton* 2882. 2931.

Torquay Trust. Circumstances under which a gate was put up on the Torquay trust, and is still retained, although it has effected the improvement for which it was sanctioned, *Wrey* 3184-3188. 3210-3212.

Towns. Feeling in the towns, but not in the rural parishes, in favour of the removal of toll-gates, *Beach* 1744-1747——Reference to the toll-free use, by the country parishes of the roads or streets in Chesterfield, whilst the Chesterfield people have to pay for using the turnpikes leading into the country, *ib.* 1748-1758——Witness does not see any unfairness in the townspeople paying for their own streets or roads, and also the county roads over which their traffic passes, *Littler* 2004-2006. 2036-2046——Circumstance of witness not contributing for using the streets of Keighley or Bradford, *Ferrand* 2147-2152——Distinctive treatment proposed in the case of large towns and small towns, with regard to abolition, *Sir J. Paxton* 2937-2939——One evil of the present system is the operation of gates in the immediate vicinity of populous towns, *Hon. E. G. D. Pennant* 3344——*See* also *Lancashire.*

U.

Use of Roads. Fairness of the principle of making those who use the roads pay for them, *Wathins* 1612: *Ferrand* 2194-2196. 2221-2228.

V.

Value of Property. Great improvement in the value of property by the removal of toll gates, and advantage thereby to the parishes on account of the increase in the rateable value, *Bradfield* 763-768. 792-796. 858-860. 869-871——Opinion that the country districts are not much, if at all, improved in value by the turnpike roads, although they are by the vicinity of the towns, *Littler* 2007-2022. 2047-2054——Considerations as to effect of the vicinty of the towns, and of the railway upon the value of the land in the parish of Bingley, *Ferrand* 2076-2105. 2118-2120. 2123-2128. 2238-2245——Bar to the improvement of property and to an increase in the rateable value of parishes by the operation of toll gates, *Sir J. Paxton* 2966-2971——Impediment of the turnpike system to the improvement of property, *Wrightson* 3237.

W.

Watkins, James. (Analysis of his Evidence.)—Solicitor at Bolton; is clerk to three turnpike trusts in the neighbourhood, 1480-1486——Practice of letting the tolls on these trusts, it being found more advantageous than for the trustees to collect them, 1482-1490. 1534-1539. 1571-1573——Statement of the debt on each of these trusts, and of the arrangements being carried out for liquidating the same, 1491-1499. 1503. 1505-1511——Explanation as to the Bolton and St. Helen's Trust being now before Parliament for the repeal of one of the clauses in their Act; the expense will come out of the receipts of the trust, 1499. 1526-1530.

Circumstance of a large number of townships in Lancashire having adopted the Local Government Act in order to evade the Highways Act, and to avoid being deprived of self-government, 1499-1501. 1522. 1613-1618——Opinion that the turnpike roads could be repaired at much less expense under the Highways Act, 1501, 1502——Unfairness and unpopularity of throwing upon the parishes or townships the debts and the repairs of the three roads or trusts to which witness is clerk, the traffic being to a great extent not of a local character, 1504. 1519-1521. 1598-1600. 1619-1635.

Effect of new railways in leading to decreased traffic and decreased tolls in the case of the trusts near Bolton, 1507-1514. 1626, 1627——Amount of the expense per mile in repairs, 1515-1517——Opinion that if the tolls in Lancashire are abolished the fairest mode of meeting the repairs would be by a county rate, 1519. 1562-1564. 1628-1631——The tolls should be retained and the receipts applied to the debts until the debts are paid off, 1519. 1533. 1558-1561. 1632-1636——The present system works very well in the case of the three trusts before alluded to; constitution of the trusts adverted to hereon, 1521. 1548-1551.

Very

Report, 1864—*continued.*

Watkins, James. (Analysis of his Evidence)—*continued.*

Very large increase in the highway rate of the township of Great Lever if it had to repair the turnpike road between Bolton and Manchester; improved rateable value of the township through the neighbourhood of those towns, 1525. 1575-1584——Witness receives a salary from each trust to which he is clerk, 1531, 1532——Amount of the establishment of these trusts; question hereon whether the expenses of surveyors and certain incidental expenses might not be largely reduced by consolidation, 1542-1547. 1585-1596. 1601-1610. 1636——Number of gates and of tolls on these trusts, 1552-1556——Period in which the debts might be paid off by the tolls if the repairs were thrown on the county, 1558-1561.

The general feeling in Lancashire is doubtless adverse to the turnpike system, 1566-1568—— Better condition of the turnpike roads in the county than of the highways, 1569——The Highway Act has not been generally adopted in the county, 1570——Obstacle to one surveyor managing efficiently a large extent of road in Lancashire, 1590-1596. 1601-1607——Consolidation would not be any benefit to the public tho' it might be economical to the trusts, 1636-1638.

Wisbeach Clause (*Liquidation of Bonds*). Provision in the Wisbeach clause as to the bonds being paid off to the lowest bidder, Hon. *E. G. D. Pennant* 90. 122. 131——Doubt whether benefits would result if the trustees could raise loans in order to carry out the Wisbeach system, *ib.* 147-151.

Wood, John. (Analysis of his Evidence.)—Timber merchant at Banstead, 912, 913—— Complains of the serious expense and inconvenience inflicted upon him by the toll-gate system; would willingly pay a larger sum annually to be rid of the system, 914-934.

Woolwich Trust. Trifling debt on the Woolwich Trust, *Bradfield* 704.

Wrey, Rev. John. (Analysis of his Evidence.)—Resides at Teignmouth; is chairman of the town commissioners, 3099, 3100——Grievance of the toll-gates near Teignmouth; the repairs of the roads as well as the tolls falling upon the ratepayers, 3101, 3139—— Particulars relative to the Dawlish and Teignmouth Trust, the amount and value of the debt, the extent of the trust, &c. 3102 *et seq.*——On part of the trust there are six tolls within a mile, 3109, 3110——The tolls are all taken by the trustees for their interest, and the repairs are thrown on the district rate, 3111-3113. 3120. 3139. 3154, 3155. 3179-3181——Complaint as to the mode of appointment of trustees, and as to the management of the trust 3113-3117. 3128.

Statement that the repairs on this trust should be thrown on the parishes, and that the debt might be placed upon the county, proper steps being taken to arrive at its real value, 3139 *et seq.*—— Feeling throughout Devonshire that the abolition of tolls would be a great public improvement, 3169, 3170——Absence of hardship in placing the repairs of the Dawlish and Teignmouth Trust on the parishes; limited use of the roads by the towns, 3171-3178. 3205, 3206——Obstructive character of a certain gate on the road to Dawlish, 3183——Circumstances under which a gate was put up on the Torquay Trust, and is still retained, although it has effected the improvement for which it was sanctioned, 3184-3188. 3210-3212.

Wrightson, William Battie (Member of the Committee). (Analysis of his Evidence).—As chairman, for the last fifteen or sixteen years, of one of the two Road Committees, witness explains the principles upon which those Committees have acted in dealing with the Turnpike Bills referred to them, 3233-3237——The subject of the renewal of turnpike trusts was fully discussed in 1849, and witness was a member of the Committee which drew up the resolutions by which the two permanent Committees have since been guided; copy of these resolutions, 3233. 3236, 3237——The two Committees have acted most cordially together, and there has been no difference of opinion or practice except on mere minor points, 3235, 3236.

Suggestion that instead of the practice of renewal of trusts for a term of twenty-one years, the term should in future be fixed at eleven years, save in special cases, 3237. 3246. 3259——Proposed continuance of the turnpike system wherever there is a debt, until the debt is liquidated, 3237. 3246——When the debt is got rid of the road should be thrown upon the parishes according to the common law liability; that is, up to a rate of 2*s.* 6*d.* in the pound, any deficiency unprovided for by that amount to fall upon the county, 3237. 3246. 3259-3270. 3282-3293. 3333, 3334——Exceptional instances of hardship if the parishes were liable up to a rate of 2*s.* 6*d.*, whilst the benefit would be great and general by the abolition of tolls, 3237. 3261-3270. 3282-3293.

Expediency of the Highway Act being made compulsory in order to carry out witness's proposition for throwing the roads on the highway districts under a system of parish liability, 3237. 3274. 3294-3304. 3315-3327——Impediment of the turnpike system to the improvement of property, 3237——Enormous expense of the system of collection by means of toll-gates, 3237-3241——Immense aggregate expenditure also in the renewal of trusts, 3241-3246——Local character of the traffic on turnpikes since the introduction of railways, 3246.

Report, 1864—*continued.*

Wrightson, William Battie. (Analysis of his Evidence)—*continued.*

Suggestion that the Home Office be directed not to put in the Continuance Act those trusts which are out of debt, 3246. 3277–3280. 3305–3309——Witness contemplates that in reducing the term of renewal to eleven years a part of the liability be at once placed on the parishes, whilst at the end of the term the whole liability should fall upon them, 3246. 3259, 3260. 3314——With regard to the entire debt being at once placed on the county, witness would not have any great objection thereto, but thinks that the counties would not approve of it, 3247–3254. 3275, 3276——Under witness's scheme some trusts would still have tolls for a period, and some would be at once set free; it would be desirable to avoid this if possible, 3255–3258. 3339–3341.

Expediency of mines being rated in the same way as quarries, 3271–3273——Contemplated extension of the operation of Committees with reference to the expiration or continuance of trusts, 3278–3280. 3305–3313——Approval of a jurisdiction in the Home Office upon the subject of any trust not going before a Committee, with a view to saving the expense of a private Act, 3305–3313——Satisfactory operation of the new highway system, so far as it has been tried, 3316–3327. 3342, 3343.

Inability of the Road Committees to deal with any trust unless it comes forward with a Bill, 3328, 3329——Great aid derived by the Committees from the Committee of Selection, 3329——Cases in which there is no debt have never been before the Committees, 3330–3332——The system upon which the Committees have acted since 1849 was already partially in operation since 1843; 3335–3337——Reduction of about 2,400,000 *l.* effected in the bonded debt between the years 1843 and 1861; 3338.

Y

Yorkshire. Feeling of farmers and of manufacturers in witness's district against the removal of the tolls, *Ferrand* 2109. 2146. 2189–2193. 2229–2245—— Large traffic from the mills, &c., which passes over the Leeds, Kirkstall, and Bradford road, *ib.* 2210–2216 ——Unfairness in millowners being rated to the roads on the value only of their mills, whilst agriculturists should pay in proportion to the value of the land, *ib.* 2218–2220.

See also *Bingley Parish.*

INDEX

TO

REPORT

FROM THE

SELECT COMMITTEE

ON

TURNPIKE TRUSTS

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1864.

383—I.

Under 8 o